

116TH CONGRESS
1ST SESSION

H. R. 3040

To amend title 23, United States Code, to include a special rule for the dedication of funds under the highway safety improvement program for certain vulnerable users, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 30, 2019

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to include a special rule for the dedication of funds under the highway safety improvement program for certain vulnerable users, 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 “Safe And Friendly for
5 the Environment Streets Act” or the “SAFE Streets Act”.

6 **SEC. 2. VULNERABLE USER SPECIAL RULE.**

7 Section 148(g) of title 23, United States Code, is
8 amended by adding at the end the following:

1 “(3) VULNERABLE USERS.—

2 “(A) IN GENERAL.—If a covered planning
3 area has a vulnerable user fatality rate that ex-
4 ceeds 1.5 individuals per 100,000 individuals
5 (as calculated under subparagraph (B)), the
6 State in which the covered planning area is lo-
7 cated shall obligate funding amounts (in an
8 amount described in subparagraph (C)) for the
9 fiscal year beginning after the 3-year period de-
10 scribed in subparagraph (B)(i) for projects on
11 safety improvements for vulnerable users in
12 such covered planning area.

13 “(B) CALCULATION OF VULNERABLE USER
14 FATALITY RATES.—Annually, the Secretary
15 shall—

16 “(i) for each covered planning area,
17 calculate the vulnerable user fatality rate
18 for the most recent 3-year period for which
19 data is available;

20 “(ii) for each covered planning area
21 for which such rate exceeds 1.5 individuals
22 per 100,000 individuals, determine the
23 funding amount that each State in which
24 such covered planning area is located shall

1 obligate in accordance with subparagraph
2 (C); and

3 “(iii) publish any rate calculated
4 under clause (i) and any funding amounts
5 determined under clause (ii) on the De-
6 partment of Transportation website.

7 “(C) CALCULATION OF FUNDING
8 AMOUNTS.—The amount described in this sub-
9 paragraph is the amount received by a State
10 under this section in a fiscal year multiplied
11 by—

12 “(i) the number of vulnerable user fa-
13 talities in the covered planning area of the
14 State, divided by

15 “(ii) the total traffic fatalities in the
16 State.

17 “(D) AUTHORIZED USER OF FUNDS.—

18 “(i) IN GENERAL.—For funds obli-
19 gated for use in a covered planning area
20 under this paragraph, and except as pro-
21 vided under clause (ii), the State in which
22 such covered planning area is located, in
23 consultation with the applicable authority
24 of such area, shall carry out projects fund-
25 ed under this section.

1 “(ii) EXCEPTION.—In the case of a
 2 metropolitan planning area with a popu-
 3 lation of over 200,000, the metropolitan
 4 planning organization shall carry out
 5 projects funded under this section.

6 “(E) DEFINITIONS.—In this paragraph,
 7 the following definitions apply:

8 “(i) COVERED PLANNING AREA.—The
 9 term ‘covered planning area’ means, with
 10 respect to a State—

11 “(I) an area under the jurisdic-
 12 tion of a metropolitan planning orga-
 13 nization;

14 “(II) a Tribal land (as defined in
 15 section 2601(13) of the Energy Policy
 16 Act of 1992 (25 U.S.C. 3501(13)));
 17 or

18 “(III) all areas in the State not
 19 described by subclauses (I) and (II).

20 “(ii) VULNERABLE USER.—The term
 21 ‘vulnerable user’ means—

22 “(I) a pedestrian;

23 “(II) an individual on a bicycle,
 24 whether such individual is a pedal-

1 cyclist or riding a low-speed electric
2 bicycle;

3 “(III) an individual with a dis-
4 ability; or

5 “(IV) an individual using a mo-
6 bility device (including a wheelchair,
7 walker, or scooter, whether motorized
8 or non-motorized).

9 “(iii) VULNERABLE USER FATAL-
10 ITY.—The term ‘vulnerable user fatality’
11 means a transportation-related fatality of
12 an individual while such individual is a vul-
13 nerable user.”.

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