

117TH CONGRESS
2D SESSION

H. R. 9648

To establish, maintain, and expand frequent, reliable, interconnected electric bus rapid transit service to expand racial, economic, and environmental justice.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 2022

Ms. BUSH (for herself, Mr. GARCÍA of Illinois, Mr. JOHNSON of Georgia, Mr. CARSON, Ms. OCASIO-CORTEZ, Mrs. CAROLYN B. MALONEY of New York, Mr. GRIJALVA, Mrs. HAYES, Ms. TLAIB, Mr. BOWMAN, Mr. HUFFMAN, Mr. PAYNE, Mr. LIEU, Ms. PRESSLEY, Mr. ESPAILLAT, Mr. RASKIN, Mr. JONES, Mr. DANNY K. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. KHANNA, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DESAULNIER, Mr. AUCHINCLOSS, Mr. CASTEN, Mr. LEVIN of Michigan, Mr. WELCH, Mr. LARSEN of Washington, Ms. MCCOLLUM, Ms. KAPTUR, Mr. BEYER, Mr. TONKO, Ms. MENG, Ms. SÁNCHEZ, Mrs. WATSON COLEMAN, Mr. TAKANO, Mr. CLEAVER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COHEN, Ms. PINGREE, Mr. NADLER, Ms. BARRAGÁN, Ms. JAYAPAL, Ms. WILSON of Florida, Ms. JACKSON LEE, Ms. NEWMAN, Ms. DEAN, Ms. ADAMS, Ms. DEGETTE, Mr. EVANS, Ms. MATSUI, Ms. LEE of California, Mr. SCHIFF, Ms. STANSBURY, Mr. LYNCH, Mr. SMITH of Washington, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. BROWN of Maryland, and Ms. ROSS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish, maintain, and expand frequent, reliable, interconnected electric bus rapid transit service to expand racial, economic, and environmental justice.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bus Rapid Transit
3 Act”.

4 **SEC. 2. BUS RAPID TRANSIT PROGRAM.**

5 (a) **ESTABLISHMENT.**—Not later than 120 days after
6 the date of enactment of this Act, the Secretary of Trans-
7 portation, acting through the Administrator of the Federal
8 Transit Administration, shall establish a program to pro-
9 vide grants to eligible public entities for the design and
10 implementation of covered bus rapid transit systems.

11 (b) **APPLICATION.**—To be eligible for a grant under
12 this section, an eligible public entity shall submit to the
13 Secretary an application at such time, in such manner,
14 and containing such information as the Secretary may re-
15 quire.

16 (c) **USE OF FUNDS.**—An eligible public entity receiv-
17 ing a grant under this section may use such grant for—

18 (1) the design and implementation of a covered
19 bus rapid transit system, including the design, ac-
20 quisition, operations, maintenance, construction, and
21 leasing of required supporting facilities, and integra-
22 tion and improvement of other connected or nearby
23 bus corridors, bicycle infrastructure, and pedestrian
24 infrastructure;

1 (2) procuring and installing charging infra-
2 structure and renewable energy to power charging
3 infrastructure;

4 (3) the redesign, retrofit, renovation, update,
5 and repair of existing bus systems to bring such sys-
6 tems up to the standard of covered bus rapid transit
7 systems;

8 (4) training current employees to effectively op-
9 erate, maintain, or otherwise adapt to new tech-
10 nologies relating to a covered bus rapid transit sys-
11 tem and associated charging equipment;

12 (5) operating costs to increase service fre-
13 quencies on bus rapid transit routes that otherwise
14 conform with this Act;

15 (6) reducing or eliminating fares as part of eli-
16 gible projects; and

17 (7) public engagement and participatory plan-
18 ning processes that meaningfully incorporate input
19 from community members impacted by the covered
20 bus rapid transit systems, including representatives
21 from local labor organizations and other community
22 groups, including those described subsection (d)(4).

23 (d) REQUIREMENTS.—As a condition of accepting a
24 grant under this section, an eligible public entity (other
25 than a Tribal authority) shall—

1 (1) agree to take steps, in consultation with
2 community groups and tenant advocates, to secure
3 existing housing in neighborhoods receiving benefits
4 from such grant, including through the use of rent
5 control, rent stabilization, or other methods to sta-
6 bilize existing residents and prevent gentrification
7 residential displacement;

8 (2) ensure safety for covered bus rapid transit
9 systems funded by such a grant by employing Elec-
10 tric Vehicle Infrastructure Training Program
11 (EVITP)-certified electricians for the installation
12 and maintenance of the electric components of the
13 charging infrastructure;

14 (3) provide to the Secretary in the application
15 for such a grant information on what such steps the
16 entity will take and how the entity will carry out the
17 activities described in paragraph (1);

18 (4) develop transit-oriented development plans
19 for the area located around station stops that in-
20 clude new affordable housing or public housing;

21 (5) provide to the Secretary a public engage-
22 ment, outreach, and education plan that illustrates
23 the grantee's commitment to meeting the mobility
24 needs of the entire community that will be served by
25 the covered bus rapid transit system, including

1 strategies to incorporate input from local labor orga-
2 nizations and other community groups, including en-
3 vironmental advocates, racial justice advocates, ten-
4 ant advocates, youth advocates, transit advocates,
5 and disability rights advocates; and

6 (6) certify that the covered bus rapid transit
7 system funded by such grant shall operate on an ei-
8 ther flat-fare or fare-free basis.

9 (e) PROHIBITION IN IMPACT ON FARES.—As a condi-
10 tion on receipt of a grant under this section, an eligible
11 public entity shall certify to the Secretary that the fares
12 for riding the covered bus rapid transit system—

13 (1) shall not increase solely due to the improve-
14 ments carried out with funds provided under this
15 section; and

16 (2) shall not increase for any reason for at least
17 1 year after the completion of the project funded
18 under this section.

19 (f) PRIORITY FOR ECONOMICALLY DISADVANTAGED
20 COMMUNITIES.—In carrying out the program under this
21 section, the Secretary shall prioritize projects located in
22 economically disadvantaged communities.

23 **SEC. 3. SPECIAL RULES FOR TRIBES.**

24 (a) SET-ASIDE.—Contingent on sufficient qualifying
25 applicants for grants under this Act that are Tribal au-

1 thorties, the Secretary shall ensure that 5 percent of such
2 grants are awarded to such applicants.

3 (b) CRITERIA FOR CONSIDERATION AS COVERED BUS
4 RAPID TRANSIT SYSTEM.—With respect to a grants pro-
5 vided to a Tribal authority, notwithstanding section
6 5(2)(A), a transit system for which funds are provided
7 under this Act shall be considered a covered bus rapid
8 transit system by meeting 4 of the criteria listed in section
9 5(2)(A)(x) and 7 of the criteria listed in section
10 5(2)(A)(xi).

11 **SEC. 4. FUNDING REQUIREMENTS.**

12 (a) FEDERAL SHARE.—

13 (1) IN GENERAL.—The Federal share of a
14 grant under this Act shall not exceed 85 percent.

15 (2) PROJECTS IN ECONOMICALLY DISADVAN-
16 TAGED COMMUNITIES.—Notwithstanding paragraph
17 (1), the Federal share for a project located in and
18 benefitting an economically disadvantaged commu-
19 nity may be up to 100 percent if the Secretary de-
20 termines that—

21 (A) the project is part of an approved
22 transportation plan required under sections
23 5303 and 5304 of title 49, United States Code;
24 and

25 (B) the applicant has, or will have—

1 (i) the legal, financial, and technical
2 capacity to carry out the project, including
3 the safety and security aspects of the
4 project;

5 (ii) satisfactory continuing control
6 over the use of the equipment or facilities;
7 and

8 (iii) the technical and financial capac-
9 ity to maintain new and existing equip-
10 ment and facilities.

11 (b) PROHIBITION ON USE OF FUNDS.—None of the
12 funds made available by this Act may be used to employ
13 or otherwise enter into a contract for local, State, or Fed-
14 eral law enforcement officers or fare collectors who are
15 armed.

16 (c) SPECIAL RULE.—No financial assistance under
17 chapter 53 of title 49, United States Code, may be used
18 for an automated vehicle providing public transportation
19 unless the recipient of such assistance that proposes to
20 deploy an automated vehicle providing public transpor-
21 tation certifies to the Secretary that the deployment does
22 not eliminate or reduce the frequency of existing public
23 transportation service.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated \$60,000,000,000 total for
3 fiscal years 2024 through 2028 to carry out this Act.

4 **SEC. 5. DEFINITIONS.**

5 In this Act:

6 (1) ELIGIBLE PUBLIC ENTITY.—The term “eli-
7 gible public entity” means a local, Tribal, or State
8 governmental authority, including metropolitan plan-
9 ning organizations, transit agencies, port authorities,
10 and regional entities, or multiple adjacent authori-
11 ties submitting a joint application.

12 (2) COVERED BUS RAPID TRANSIT SYSTEM.—
13 The term “covered bus rapid transit system” means
14 a publicly owned bus rapid transit system that—

15 (A) has—

16 (i) dedicated, physically separated
17 right of ways that run at least 2 miles;

18 (ii) all buses added to operation are
19 battery powered electric vehicles and any
20 existing operational buses meet applicable
21 2010 emissions standards;

22 (iii) accessibility for all customers, in-
23 cluding those who are physically, visually,
24 or hearing-impaired, as well as those with
25 temporary disabilities, the elderly, children,

1 parents with strollers, and other load-car-
2 rying passengers;

3 (iv) buses aligned in the central verge
4 of the roadway for at least 75 percent of
5 the route;

6 (v) all buses, routes, and stations in
7 corridor follow single unifying brand of en-
8 tire bus rapid transit system;

9 (vi) functioning real-time and up-to-
10 date static passenger information corridor-
11 wide that is available during all hours of
12 operation;

13 (vii) physical transfer points inte-
14 grated with other public transit;

15 (viii) safe and accessible pedestrian
16 design at each station, with a continuous
17 walking path network along the entire cor-
18 ridor;

19 (ix) service frequency no less than 6
20 buses per hour on all routes;

21 (x) at least 5 elements out of—

22 (I) off board fare collection;

23 (II) traffic signal priority;

24 (III) turns prohibited across the
25 busway;

1 (IV) a system that includes mul-
2 tiple routes or is connected to an ex-
3 isting route;

4 (V) stations separated by be-
5 tween 0.2 and 0.5 miles;

6 (VI) a fare system that can be
7 integrated with other modes of trans-
8 port; or

9 (VII) platform level boarding;
10 and

11 (xi) at least 10 elements out of—

12 (I) multiple routes sharing cor-
13 ridors;

14 (II) limited and express services;

15 (III) a full service control center;

16 (IV) location in 1 of the locality's
17 top 10 demand corridors;

18 (V) late night and weekend serv-
19 ice;

20 (VI) passing lanes at not less
21 than 60 percent of station stops;

22 (VII) at least 80 percent of sta-
23 tions are located at least 100 feet
24 from intersections;

1 (VIII) physically connected cen-
2 ter stations serving both directions of
3 the bus rapid transit system;

4 (IX) 90 percent of stations offer
5 seating, are weather-protected, well-
6 lit, and at least 8 feet wide;

7 (X) buses have at least 3 doors
8 (for articulated buses) or 2 wide doors
9 (for non-articulated buses) on the sta-
10 tion side, including the system allow-
11 ing for boarding at all doors;

12 (XI) at least 2 substops or dock-
13 ing bays at the highest demand sta-
14 tions;

15 (XII) all stations have sliding
16 doors;

17 (XIII) secure bicycle parking at
18 least in higher-demand stations and
19 standard bicycle racks elsewhere;

20 (XIV) bicycle lanes on or parallel
21 to 75 percent of the corridor;

22 (XV) bicycle sharing available at
23 50 percent or more of stations;

1 (XVI) elimination or prohibition
2 on parking minimums in the area of
3 the system; and

4 (XVII) service frequency of no
5 less than 7 buses per hour on all
6 routes;

7 (B) powers charging infrastructure with
8 renewable energy;

9 (C) uses labor standards at least as protec-
10 tive as the labor standards described in section
11 5333 of title 49, United States Code; and

12 (D) meets domestic assembly qualifications
13 for its buses and charging equipment.

14 (3) DOMESTIC ASSEMBLY QUALIFICATIONS.—

15 The term “domestic assembly qualifications” means,
16 with respect to any qualifying electric bus or charg-
17 ing equipment, that the final assembly of such a bus
18 or charger occurs at a plant, factory, or other place
19 which is located in the United States and operating
20 under a collective bargaining agreement negotiated
21 by an employee organization (as defined in section
22 412(c)(4)(B)(ii)(II) of the Internal Revenue Code of
23 1986), determined in a manner consistent with sec-
24 tion 7701(a)(46) of such Code.

1 (4) ECONOMICALLY DISADVANTAGED COMMU-
2 NITY.—The term “economically disadvantaged com-
3 munity” means an economically disadvantaged com-
4 munity, including an environmental justice commu-
5 nity, an underserved community, or a community lo-
6 cated in an area of persistent poverty (as such term
7 is defined in section 101 of title 23, United States
8 Code).

9 (5) PLATFORM LEVEL BOARDING.—The term
10 “platform level boarding” means a platform for
11 boarding a bus that contains no more than 0.5 inch
12 vertical gap between the bus floor and the station
13 platform.

14 (6) RENEWABLE ENERGY.—The term “renew-
15 able energy” means solar, wind, geothermal, and
16 tidal energy.

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