



Amendments to H.R. 22: Surface Transportation Reauthorization and Reform Act of 2015 (Rep. Shuster, R-PA) – Part I

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FLOOR SCHEDULE:

The House amendment to the Senate amendment to H.R. 22 is expected to be considered on November 3, 2015, under a [structured rule](#).

The Rule uses the Senate-passed highway bill (H.R. 22) as the vehicle for consideration of the House Transportation and Infrastructure Committee's highway bill (H.R. 3763, the Surface Transportation Reauthorization & Reform (STRR) Act). A summary and analysis of the bill are available in a previous RSC Legislative Bulletin, available [here](#) (Word) or [here](#) (PDF).

The Rule provides for one hour of general debate. The Rule makes the [Rules Committee Print](#) (which replaces the Senate transportation related provisions with legislative language based on H.R. 3763) the pending business in the House.

The Rule self-executes an amendment by Rep. Reichert which modifies the General Fund transfer to the Highway Trust Fund as well as some of the offsets included in the Senate-passed H.R. 22. This amendment is summarized below.

The Rule makes in order 29 amendments for debate on November 3, 2015. These amendments are summarized below.

The Rule provides that on legislative days during the week of November 6, 2015 (during the Veterans Day District Work Period), that the Journal be considered as adopted and that the Chair may declare the House adjourned.

The Rule further provides that it be in order on November 5, 2015, to consider motions to suspend the rules for a measure related to the National Defense Authorization Act. Additional action on the NDAA is expected pursuant to enactment of the Bipartisan Budget Act of 2015, which amended the budget authority caps for defense programs contained in the annual authorization.

The Rules Committee is scheduled to meet again on [November 3, 2015](#), for further consideration of amendments.

Additional analysis of amendments will be available after the Rules Committee meets to make additional amendments in order.

SUMMARY OF AMENDMENT SELF-EXECUTED BY THE RULE:

1. **[Reichert \(R-WA\)](#)**: The amendment modifies provision in the Senate-passed H.R. 22 related to the Highway Trust Fund, the General Fund transfer, and offsets to the General Fund transfer. Specifically, the amendment:
 - a. Updates the effective date for the expenditure authority from the Highway Trust fund to reflect the two short-term extensions enacted into law since the Senate originally passed H.R. 22.
 - b. Reduces the size of the General Fund transfer to the Highway Trust Fund to \$34.976 billion, reflecting the \$8 billion Highway Trust Fund bailout that was enacted in July.
 - c. Strikes the following offsets included in the Senate bill that have already been enacted into law as part of other legislation:
 - i. Reporting the Value of Property by Estates
 - ii. Statute of Limitations for Certain Tax Cases
 - iii. Mortgage Interest Reporting
 - iv. Dates of Certain Tax Returns
 - v. Extension of Transfer of Excess Pension Assets to Retiree Health Accounts
 - vi. Budgetary Treatment of TSA Fees
 - d. Strikes the Hire More Heroes provision, which has already been signed into law.

AMENDMENTS MADE IN ORDER:

1. **[Shuster \(R-PA\)](#)**: Would establish a National Propane Fueling Corridor (along with the National Electric Vehicle Charging, Hydrogen, and Natural Gas Fueling Corridors already established by the bill). The amendment would also make technical corrections to the bill.
2. **[Swalwell \(D-CA\)](#)**: Would allow Congestion Mitigation and Air Quality (CMAQ) funds to also be used for projects that would provide alternatives to driving alone, including bikeshare, carpool/vanpool, transportation network companies, fare payment systems, and app based mobility providers.

The [CMAQ](#) program provides highway funding to a [variety](#) of non-highway programs that are supposed to reduce congestion and improve air quality. Projects can include diesel engine retrofits, transit projects, encouraging telecommuting, public education about transportation choices, carpool and vanpool marketing, carsharing, and alternative fuels and vehicles. States are not allowed to use these funds on expanding highway capacity.

3. **[Walden \(R-OR\)](#)**: Would expand the eligibility of the new Nationally Significant Freight and Highway Projects to include projects within National Scenic Areas, and projects “to increase capacity of highway segments to improve mobility”.

The bill creates a new Nationally Significant Freight and Highway Projects grant program to fund road, rail, and intermodal freight projects that are projected to be very expensive.

4. **[Garamendi \(D-CA\)](#)**: Would include “habitat connectivity” in the metropolitan planning process.
5. **[Gosar \(R-AZ\)](#)**: Would amend the new online database required by the bill to require the federal government to publically report on the total number, cost, and average time of environmental

reviews.

The bill requires the DOT to maintain an online database showing the status of environmental reviews for federal highway projects.

6. [Babin \(R-TX\)](#): Would designate the Central Texas Corridor as the future Interstate Route I-14.
7. [Massie \(R-KY\)](#): Would allow the General Services Administration (GSA) to install electric car charging stations for federal employees. The amendment would require fees necessary to recover the costs of the stations.
8. [Fleischmann \(R-TN\)](#): Would require the Federal Highway Administration to encourage the use of [“geosynthetic materials.”](#)
9. [Gibbs \(R-OH\)](#): Would require a study on the procurement of culvert and storm sewer materials by states.
10. [Gibson \(R-NY\)](#): Would require the Secretary of Transportation to develop a strategy to address structurally deficient bridges within one year.
11. [Guinta \(R-NH\)](#): Would require the Government Accountability Office (GAO) to conduct a study to identify the costs of compliance with various laws and regulations for federal highway projects. This study would help quantify the purchasing power of a federal highway dollar and quantifying the things that weaken it, such as labor and environmental regulations.
12. [Hanna \(R-NY\)](#): Would add a sense of Congress that the engineering industry is valuable for surface transportation projects.
13. [Mullin \(R-OK\)](#): Would allow bridge work to continue even in the presence of swallows that are nesting. Swallows are [protected](#) by the federal Migratory Bird Treaty Act (MBTA) of 1918 and can nest during construction season causing [costly delays](#).
14. [Ribble \(R-WI\)](#): Would allow states to authorize trucks up to 91,000 pounds if they are equipped with a sixth axle. According to the [amendment sponsor](#), “this configuration would be compliant with the existing federal bridge formula,” and would increase efficiency.
15. [Brown \(D-FL\)](#): Would establish a National Advisory Committee on Travel and Tourism Infrastructure.
16. [DeSaulnier \(D-CA\)](#): Would require a study methods of inventorying of roadside safety devices such as guardrails in order to improve in-service evaluation of such devices.
17. [Scott \(D-VA\)](#): Would establish a sense of Congress that the DOT should utilize modeling and simulation technology.
18. [Johnson \(D-TX\)](#): Would strike the DOT’s authority to redistribute unallocated Transportation Infrastructure Financing and Innovation Act (TIFIA) funds to states for transportation projects including road, bridge, transit, and other infrastructure construction and improvements.

The [TIFIA](#) program provides subsidized loans and loan guarantees for transportation programs.

19. [Welch \(D-VT\)](#): Would strike the section of the bill that lowers the federal share of bicycle projects from 95 and 90 percent to 80 percent.
20. [Jackson-Lee \(D-TX\)](#): Would require a report on the safety of parking lots.
21. [Jackson-Lee \(D-TX\)](#): Would require a report on the [Internet of Things](#).
22. [Blumenauer \(D-OR\)](#): Would increase the number of states eligible for funding through the non-motorized component of the National Priority Safety Program, and double the funding for the non-motorized component while commensurately reducing safety funding for other, motorized components.
23. [Kirkpatrick \(D-AZ\)](#): Would allow states to receive grants for distracted driving awareness if their anti-texting-while-driving law does not have an exemption that specifically allows texting while stopped in traffic. The underlying bill would require states to enact laws prohibiting texting while driving or while stopped in traffic.
24. [Rice \(D-NY\)](#): Would require states to increase requirements for [learner's permits](#) to be eligible for State Graduated Driver Licensing Incentive Grants.
25. [Jackson-Lee \(D-TX\)](#): Would require a study on the public safety impact of traffic cameras.
26. [Duncan \(R-TN\)](#): Would require a study on the safety of double decker motor coaches equipped with a luggage carrier at the rear of the vehicle.
27. [Comstock \(R-VA\)](#): Would require the Secretary of Transportation to develop a five-year transportation research and development strategic plan. Would authorize studies on traffic congestion and on rail safety technologies.
28. [Barletta \(R-PA\)](#): Would specify minimum required [top fittings](#) for rail tank cars that haul flammable liquids.
29. [Lynch \(D-MA\)](#): Would require the DOT to conduct a review of the safety of a pipeline transportation infrastructure project at the request of a state.

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