

114TH CONGRESS
1ST SESSION

H. R. 3376

To authorize States to carry out bridge construction, maintenance, repair, and replacement projects using previously allocated surface transportation funds that are identified as being excess or inactive, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mrs. LOWEY introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To authorize States to carry out bridge construction, maintenance, repair, and replacement projects using previously allocated surface transportation funds that are identified as being excess or inactive, 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. FINDINGS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The Federal Highway Administration esti-
6 mates that there are 604,485 bridges on the Na-
7 tion's public road network, of which 116,669 are on
8 the National Highway System.

1 (2) The average age of the Nation’s bridges is
2 39 years old and more than two-thirds of the Na-
3 tion’s bridges are more than 26 years old.

4 (3) One in 9 bridges is classified as structurally
5 deficient and requires significant maintenance, re-
6 pair, or replacement.

7 (4) Fourteen percent of the Nation’s bridges
8 are functionally obsolete and do not meet current de-
9 sign standards.

10 (5) The Federal Highway Administration esti-
11 mates that to eliminate the Nation’s deficient bridge
12 backlog by 2030, \$20.2 billion of investment would
13 be required annually through Federal, State, and
14 local levels of government, although current annual
15 bridge investment is approximately \$17.1 billion.

16 (b) DEFINITIONS.—In this section, the following defi-
17 nitions apply:

18 (1) ELIGIBLE FUNDS.—

19 (A) IN GENERAL.—The term “eligible
20 funds” means funds—

21 (i) authorized or designated in—

22 (I) Public Law 109–59 or a prior
23 surface transportation authorization
24 Act; or

1 (II) an appropriations Act, or a
2 report accompanying an appropria-
3 tions Act, for allocation to a specific
4 surface transportation project or ac-
5 tivity; and

6 (ii) identified, not later than 60 days
7 after the date of enactment of this Act, by
8 the State in which the project or activity is
9 authorized to be carried out as being ex-
10 cess funds or inactive funds.

11 (B) INCLUSION.—The term “eligible
12 funds” includes funds described in subpara-
13 graph (A) that were allocated and designated
14 for a demonstration project.

15 (2) EXCESS FUNDS.—The term “excess funds”
16 means—

17 (A) funds obligated for a specific surface
18 transportation project or activity that remain
19 available for the project or activity after the
20 project or activity has been completed or can-
21 celed; or

22 (B) an unobligated balance of funds allo-
23 cated for a specific surface transportation
24 project or activity that the State in which the
25 project or activity is authorized to be carried

1 out certifies is no longer needed for the project
2 or activity.

3 (3) INACTIVE FUNDS.—The term “inactive
4 funds” means—

5 (A) an unobligated balance of Federal
6 funds for an eligible surface transportation
7 project or activity against which no more than
8 10 percent of the Federal funds originally des-
9 ignated for the project or activity have been ob-
10 ligated; or

11 (B) funds that are available to carry out a
12 surface transportation project or activity in a
13 State, but, as certified by the State, are un-
14 likely to be advanced for the project or activity
15 during the 1-year period beginning on the date
16 of certification.

17 (c) AVAILABILITY OF FUNDS FOR BRIDGE
18 PROJECTS.—Eligible funds shall be—

19 (1) made available in accordance with this sec-
20 tion to the State that originally received the funds;
21 and

22 (2) available for obligation for any eligible
23 project under section 133(b)(2) or 133(b)(3) of title
24 23, United States Code.

1 (d) AUTHORITY TO OBLIGATE.—Notwithstanding
2 the original source or period of availability of eligible
3 funds, the Secretary of Transportation may, on the re-
4 quest by a State—

5 (1) obligate the funds for any eligible project
6 under section 133(b)(2) or 133(b)(3) of title 23,
7 United States Code; or

8 (2)(A) deobligate the funds; and

9 (B) reobligate the funds for any project eligible
10 under such sections.

11 (e) PERIOD OF AVAILABILITY; TITLE 23 REQUIRE-
12 MENTS.—

13 (1) IN GENERAL.—Notwithstanding the original
14 source or period of availability of eligible funds obli-
15 gated (or deobligated and reobligated) under sub-
16 section (d), the eligible funds—

17 (A) shall remain available for obligation for
18 a period of 3 fiscal years after the fiscal year
19 in which this Act is enacted; and

20 (B) except as otherwise provided in this
21 subsection, shall be subject to the requirements
22 of title 23, United States Code, that apply to
23 section 133 of that title, including provisions re-
24 lating to Federal share.

1 (2) NO ALLOCATION BASED ON POPULATION.—
2 Section 133(d) of title 23, United States Code, shall
3 not apply to eligible funds under this section.

4 (f) REPORT.—Not later than 1 year after the date
5 of enactment of this Act, and annually thereafter, the Sec-
6 retary shall submit to the Committee on Environment and
7 Public Works of the Senate, the Committee on Transpor-
8 tation and Infrastructure of the House of Representatives,
9 and the Committees on Appropriations of the Senate and
10 the House of Representatives a report describing any ac-
11 tion taken by the Secretary under this section.

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