

116TH CONGRESS
2D SESSION

H. R. 5571

To facilitate the use of performance-based standards by the Department of Transportation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2020

Mr. MEADOWS (for himself, Mr. BUDD, Mr. GOHMERT, Mr. PALMER, and Mr. SENSENBRENNER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To facilitate the use of performance-based standards by the Department of Transportation, 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 “Revamping American
5 Infrastructure Act of 2020”.

6 **SEC. 2. USE OF PERFORMANCE-BASED STANDARDS.**

7 (a) NOTIFICATION OF PERFORMANCE-BASED STAND-
8 ARDS REVIEW.—The Secretary of Transportation shall in-
9 vite the public to provide input to identify those regula-
10 tions, guidance, and policies of the Department that—

1 (1) in current form, establish prescriptive re-
2 quirements for regulated entities; and

3 (2) are able to be replaced, consistent with Fed-
4 eral law, providing an equal or higher level of safety,
5 with performance-based standards.

6 (b) REPORT AND PLAN.—Not later than 180 days
7 after the date of enactment of this Act, the Secretary shall
8 submit to Congress a report on the Department’s plan to
9 address feedback from the public requested under sub-
10 section (a) that includes—

11 (1) a list identifying each prescriptive regula-
12 tion, guidance document, and policy that was deter-
13 mined by the Secretary, based on input from the
14 public, to be able to be replaced with a performance-
15 based standard;

16 (2) a detailed plan to replace the regulations,
17 guidance, and policies identified under paragraph
18 (1) with performance-based standards;

19 (3) a justification for omitting the regulations,
20 guidance, and policies not identified under para-
21 graph (1); and

22 (4) legislative recommendations to facilitate ad-
23 ditional replacement opportunities.

24 (c) PLAN IMPLEMENTATION.—Not later than 2 years
25 after the date on which the report required under sub-

1 section (b) is submitted to Congress, the Secretary shall
2 complete implementation of the plan described in that sub-
3 section.

4 (d) RULEMAKING REQUIREMENT.—

5 (1) IN GENERAL.—To the maximum extent pos-
6 sible, the Secretary shall ensure that regulations,
7 guidance, and policies issued by the Department on
8 and after the date of enactment of this Act are
9 issued in the form of performance-based standards
10 and not as prescriptive requirements for regulated
11 entities.

12 (2) JUSTIFICATIONS.—The Secretary shall
13 make available to the public a justification for each
14 regulation, guidance document, and policy issued by
15 the Department on and after the date of enactment
16 of this Act that is not issued in the form of a per-
17 formance-based standard.

18 (e) DEPARTMENT DEFINED.—In this section, the
19 term “Department” means the Department of Transpor-
20 tation, including each modal administration thereof.

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