

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To improve Federal transportation programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. McDONALD RIVET introduced the following bill; which was referred to the
Committee on _____

A BILL

To improve Federal transportation programs, 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 “Bridges And Safety
5 Infrastructure for Community Success Act” or the “BA-
6 SICS Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of Transportation.

3 (2) METROPOLITAN PLANNING ORGANIZA-
4 TION.—The term “Metropolitan planning organiza-
5 tion” has the meaning given such term in section
6 134 of title 23, United States Code;

7 (3) URBANIZED AREA.—The term “urbanized
8 area” has the meaning given such term in section
9 134 of title 23, United States Code.

10 (4) OFF-SYSTEM BRIDGE.—The term “off-sys-
11 tem bridge” means a highway bridge or low water
12 crossing (as defined by the Secretary) located on a
13 public road, other than a bridge or low water cross-
14 ing (as defined by the Secretary) on a Federal-aid
15 highway.

16 (5) REGIONAL TRANSPORTATION PLANNING OR-
17 GANIZATION.—The term “regional transportation
18 planning organization” means the policy board of an
19 organization established as the result of a designa-
20 tion under section 135(m) of title 23, United States
21 Code.

22 **SEC. 3. APPORTIONMENT.**

23 Section 104 of title 23, United States Code is amend-
24 ed—

25 (1) in subsection (b)(1) by—

1 (A) striking “paragraphs (4), (5), and (6)”
2 and inserting “(paragraphs (4), (5), (9), and
3 (10))”; and

4 (B) striking “59.0771195921461” and in-
5 serting “53.71”;

6 (2) in subsection (b)(2) by—

7 (A) striking “paragraphs (4), (5), and (6)”
8 and inserting “(paragraphs (4), (5), (9), and
9 (10))”; and

10 (B) striking “28.7402203421251” and in-
11 serting “31.07”;

12 (3) in subsection (b)(3) by—

13 (A) striking “paragraphs (4), (5), and (6)”
14 and inserting “(paragraphs (4), (5), (9), and
15 (10))”; and

16 (B) striking “6.70605141316253” and in-
17 serting “7.61”;

18 (4) in subsection (b)(7) by—

19 (A) striking “paragraphs (4), (5), and (6)”
20 and inserting “(paragraphs (4), (5), (9), and
21 (10))”; and

22 (B) striking “2.56266964565637” and in-
23 serting “2.39”;

24 (5) in subsection (b)(8) by—

1 (A) striking “paragraphs (4), (5), and (6)”
2 and inserting “(paragraphs (4), (5), (9), and
3 (10)”; and

4 (B) striking “2.91393900690991” and in-
5 serting “2.72”;

6 (6) striking subsection (b)(6)(B) and inserting
7 the following:

8 “(B) The total amount for metropolitan
9 planning for all States each fiscal year shall be
10 2.5 percent of the amount remaining after dis-
11 tributing amounts under paragraphs (4), (5),
12 (9) and (10).”; and

13 (7) by adding the following at the end—

14 “(9) STRENGTHENING BRIDGES FORMULA PRO-
15 GRAM.—

16 “(A) IN GENERAL.—For the strengthening
17 bridges formula program under section 180, the
18 Secretary shall set aside from the base appor-
19 tionment determined for a State under sub-
20 section (c) an amount determined for the State
21 under subparagraphs (B) and (C).

22 “(B) TOTAL AMOUNT.—The total amount
23 set aside for the strengthening bridges formula
24 program for all States shall be \$5,500,000,000
25 for each fiscal year between 2027 and 2031.

1 “(C) STATE SHARE.—Notwithstanding
2 subparagraph (D), for each fiscal year, after
3 the setting aside funds as required by section
4 180(e), the Secretary shall distribute among the
5 States the remaining amount for the strength-
6 ening bridges formula program under subpara-
7 graph (B) so that each State receives the
8 amount equal to the proportion that—

9 “(i) the total cost of replacing or re-
10 habilitating all bridges classified in poor
11 condition in such State; bears to

12 “(ii) the total cost of replacing or re-
13 habilitating all bridges classified in poor
14 condition in all States.

15 “(D) DETERMINATION OF COSTS.—For
16 purposes of subparagraph (C), the Secretary
17 shall determine replacement and rehabilitation
18 costs based on the average unit costs of bridges
19 from 2021 through 2024, as submitted by
20 States to the Federal Highway Administration
21 as required by section 144(b)(5).

22 “(E) MINIMUM AMOUNT.—The minimum
23 amount that the Secretary apportions to a
24 State in a fiscal year under this program shall
25 be \$45,000,000.

1 “(10) REGIONAL TRANSPORTATION PLAN-
2 NING.—

3 “(A) IN GENERAL.—To carry out section
4 135(n) of this title, an amount determined for
5 the State under subparagraphs (C) of this sub-
6 section.

7 “(B) TOTAL AMOUNT.—The total amount
8 to carry out section 135(n) of this title for all
9 States shall be \$150,000,000 for each fiscal
10 year between 2027 and 2031.

11 “(C) DISTRIBUTION AMONG THE
12 STATES.—For each fiscal year, the Secretary
13 shall distribute the amounts authorized to carry
14 out section 135(n) of this title among the
15 States in the same proportion as the amount
16 distributed to the State share under subsection
17 (b) of this section.

18 “(D) ADMINISTRATION.—Up to 5 percent
19 of the amounts provided to each State may be
20 used by the State to administer this program.”.

21 **SEC. 4. SURFACE TRANSPORTATION BLOCK GRANT PRO-**
22 **GRAM.**

23 Section 133(d)(3) of title 23, United States Code is
24 amended by inserting after paragraph (B) the following—

1 “(C) CONSULTATION WITH LOCAL GOV-
2 ERNMENTS.—For purposes of clauses (iii) and
3 (iv) of paragraph (1)(A), before obligating
4 funding attributed to an area with a population
5 of less than 50,000 that is not represented by
6 a regional transportation planning organization,
7 a State shall consult with local governments in
8 that area and may partner with nonpartisan,
9 statewide organizations representing local gov-
10 ernments and their elected leaders in order to
11 facilitate such consultation.”.

12 **SEC. 5. BRIDGE FORMULA PROGRAM.**

13 (a) IN GENERAL.—Chapter 1 of title 23, United
14 States Code, is amended by adding at the end the fol-
15 lowing:

16 **“§ 180. Strengthening bridges formula program**

17 “(a) ESTABLISHMENT.—The Secretary shall estab-
18 lish a program in accordance with this section to provide
19 funding for bridge projects.

20 “(b) ELIGIBLE USES.—Funds apportioned to a State
21 under this section may be obligated for the construction,
22 replacement, rehabilitation, preservation, and protection
23 of highway bridges on public roads.

24 “(c) SUBALLOCATION OF APPORTIONED FUNDS.—

1 “(1) CALCULATION.—Of the funds apportioned
2 to a State under section 104(b)(9) (after the set
3 aside of funds under subsection (e)), the State shall
4 obligate—

5 “(A) 25 percent in the following areas in
6 proportion to their relative shares of the popu-
7 lation of the State—

8 “(i) in urbanized areas of the State
9 with an urbanized population of over
10 200,000;

11 “(ii) in urbanized areas of the State
12 with an urbanized population of not less
13 than 50,000 and not more than 200,000;

14 “(iii) in urban areas of the State with
15 a population of not less than 5,000 and
16 not more than 49,999; and

17 “(iv) in other areas of the State with
18 a population less than 5,000; and

19 “(B) the remainder may be obligated in
20 any area of the State.

21 “(2) TREATMENT OF FUNDS.—Funds made
22 available to carry out this section shall be adminis-
23 tered as if apportioned under Section 104(e) and
24 Section 104(i) of Title 23, United States Code (as
25 amended).

1 “(3) PROJECT SELECTION.—A State shall only
2 obligate funding under this section for—

3 “(A) in areas of more than 50,000,
4 projects that have been included on the Trans-
5 portation Improvement Program for the metro-
6 politan planning organization representing that
7 area;

8 “(B) in areas under 50,000 that are cov-
9 ered by a regional transportation planning or-
10 ganization, projects that are identified in co-
11 operation with said regional transportation
12 planning organization; and

13 “(C) in areas under 50,000 that are not
14 covered by a regional transportation planning
15 organization, projects that are selected in con-
16 sultation with local governments in that area.

17 “(4) In order to facilitate better consultation
18 with local governments to identify eligible projects,
19 the State may work with nonpartisan, statewide or-
20 ganizations representing units of local government
21 and their elected officials.

22 “(d) APPLICABILITY OF PLANNING REQUIRE-
23 MENTS.—Programming and expenditure of funds for
24 projects under this section shall be consistent with sections
25 134 and 135 of title 23, United States Code.

1 “(e) SET ASIDES.—The Secretary shall set aside—

2 “(1) 3 percent of the funds available for this
3 program in each fiscal year to carry out section
4 202(d) of title 23, United States Code; and

5 “(2) up to one-half of 1 percent of the amounts
6 made available for this program for the administra-
7 tion and operations of the Federal Highway Admin-
8 istration.

9 “(f) COST SHARE.—

10 “(1) IN GENERAL.—For funds made available
11 from this program, the Federal share shall be deter-
12 mined in accordance with section 120 of title 23,
13 United States Code.

14 “(2) LOCAL, OFF-SYSTEM BRIDGE.—For fund-
15 ing for a project used on an off-system bridge that
16 is owned by a local government or Tribe, the Federal
17 share shall be 100 percent.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
19 ter 1 of title 23, United States Code, is amended by add-
20 ing at the end the following:

“180. Strengthening bridges formula program.”.

21 **SEC. 6. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

22 (a) LOCAL SAFETY SET-ASIDE.—Section 148 of title
23 23, United States Code is amended by—

1 (1) by redesignating subsections (d), (e), (f),
2 (g), (h), (i), (j), (k), and (l) as subsections (e), (f),
3 (g), (h), (i), (j), (k), (l), and (m), respectively;

4 (2) inserting after subsection (c) the following:

5 “(d) ALLOCATIONS OF APPORTIONED FUNDS BASED
6 ON POPULATION.—

7 “(1) CALCULATION.—Of the funds apportioned
8 to a State under section 104(b)(3)—

9 “(A) 25 percent for each of fiscal years
10 2027 through 2031 shall be obligated under
11 this section, in proportion to their relative
12 shares of the population of the State—

13 “(i) in urbanized areas of the State
14 with an urbanized area population of over
15 200,000;

16 “(ii) in urbanized areas of the State
17 with an urbanized area population of not
18 less than 50,000 and not more than
19 200,000;

20 “(iii) in urban areas of the State with
21 a population not less than 5,000 and not
22 more than 49,999; and

23 “(iv) in other areas of the State with
24 a population less than 5,000; and

1 “(B) the remainder may be obligated in
2 any area of the State.

3 “(2) PROJECT SELECTION.—A State shall only
4 obligate funding under this section for—

5 “(A) in areas of more than 50,000,
6 projects that have been included on the Trans-
7 portation Improvement Program for the metro-
8 politan planning organization representing that
9 area;

10 “(B) in areas under 50,000 that are cov-
11 ered by a regional transportation planning or-
12 ganization, projects that are identified in co-
13 operation with said regional transportation
14 planning organization; and

15 “(C) in areas under 50,000 that are not
16 covered by a regional transportation planning
17 organization, projects that are selected in con-
18 sultation with local governments in that area.

19 “(3) CONSULTATION.—In order to facilitate
20 better consultation with local governments to iden-
21 tify eligible projects, the State may work with non-
22 partisan, statewide organizations representing units
23 of local government and their elected officials.

24 “(4) APPLICABILITY OF PLANNING REQUIRE-
25 MENTS.—Programming and expenditure of funds for

1 projects under this section shall be consistent with
2 sections 134 and 135 of title 23, United States
3 Code.”; and

4 (3) in subsection (f)(1)(B), as so redesignated,
5 by striking “subsection (g)” and inserting “sub-
6 section (h)”;

7 (4) in subsection (h)(1), as so redesignated, by
8 striking “subsection (f)” and inserting “subsection
9 (g)”.

10 (b) INCLUDED PROJECT.—Section 148(a)(4) of title
11 23, United States Code is amended by inserting after sub-
12 paragraph (xxix) the following—

13 “(xxx) Any project that was eligible
14 for funding under section 24112 of the In-
15 frastructure Investment and Jobs Act (23
16 U.S.C. 402 note).”.

17 **SEC. 7. TRANSFERABILITY.**

18 Section 126 of title 23, United States Code is amend-
19 ed—

20 (1) in paragraph (a) by replacing “subject to
21 subsection (b)” with “subject to subsections (b) and
22 (c);

23 (2) in paragraph (b)(1) by replacing “104(d)
24 and 133(d)(1)(A)” with “104(d), 133(d)(1)(A),

1 135(n), 148(d)(1)(A), 175(e)(1)(A), and
2 180(c)(1)(A)”; and

3 (3) by inserting after paragraph (b) the fol-
4 lowing—

5 “(c) SAFETY FUNDING.—Before transferring any
6 funding apportioned under section 104(b)(3), a State shall
7 make those funds available to local governments and re-
8 gional planning organizations through a competitive proc-
9 ess.

10 “(1) IN GENERAL.—Projects funded through
11 this process must meet the requirements for funding
12 under Section 104(b)(3) as outlined in section 148
13 of title 23, United States Code.

14 “(2) OPEN AND FAIR COMPETITION.—Only
15 after the Secretary has certified that the State has
16 held an open and fair competition for the funds
17 under 104(b)(3) shall a State be able to transfer
18 them under subsection (a) of this section.”.

19 **SEC. 8. PROJECT SELECTION.**

20 It is the sense of Congress that—

21 (1) States should obligate all funds appro-
22 priated under section 133(d)(1)(A), section
23 148(d)(1)(A), section 175() and section
24 180(c)(1)(A) of title 23, United States Code of this
25 Act to locally selected projects; and

1 (2) the Secretary, in partnership with the Ad-
2 ministrators of the Federal Highway Administration,
3 should work with States to ensure that the local con-
4 sultation and coordination processes established
5 under title 23, United States Code are followed.

6 **SEC. 9. METROPOLITAN PLANNING.**

7 (a) **ELIMINATING LOCAL MATCH.**—Section 120(c) of
8 title 23, United States Code is amended by adding at the
9 end the following:

10 “(5) **METROPOLITAN PLANNING FUNDS.**—The
11 Federal share payable for activities authorized by
12 section 134 of title 23 and apportioned under section
13 104(b)(6) of title 23 shall be 100 percent.”.

14 (b) **ENHANCED PLANNING FOR FASTER PROJECT**
15 **DELIVERY.**—Section 134 of title 23, United States Code
16 is amended by—

17 (1) inserting at the end—

18 “(s) **ADDITIONAL USES OF METROPOLITAN PLAN-**
19 **NING FUNDING.**—In addition to carrying out the purposes
20 of this section, funds provided to States and metropolitan
21 planning organizations as apportioned under section 104
22 may be used for—

23 “(1) fiscal administration of local projects;

24 “(2) preliminary design;

1 “(3) administrative and overhead costs, general
2 operating expenses, facilities and infrastructure
3 costs;

4 “(4) local technical assistance;

5 “(5) housing studies directly linked to transpor-
6 tation;

7 “(6) economic development studies directly
8 linked to transportation; and

9 “(7) critical data procurement.”;

10 (2) striking subsection (p) and inserting the fol-
11 lowing—

12 “(p) FUNDING.—

13 “(1) IN GENERAL.—Funds apportioned under
14 section 104(b)(6) or section 5305(g) of title 49 shall
15 be available to carry out this section.

16 “(2) DIRECT RECIPIENT STATUS.—Not less
17 than 180 after the passage of this Act, the Secretary
18 shall establish a process whereby a metropolitan
19 planning agency may qualify to become direct recipi-
20 ent of Federal funding, such process shall—

21 “(A) be restricted to determining the tech-
22 nical and financial capabilities for an metropoli-
23 tan planning organization to receive and be able
24 to appropriately manage Federal funding and
25 funding requirements; and

1 “(B) occur concurrently to the recertifi-
2 cation process through which metropolitan plan-
3 ning organizations have their abilities recon-
4 firmed under this section.

5 “(3) SUBALLOCATION OF FEDERAL PLANNING
6 FUNDS.—When the Secretary annually apportions
7 funds to States under section 104(b)(6), the Sec-
8 retary shall directly sub-allocate obligation authority
9 and all associated responsibilities to metropolitan
10 planning organizations that have become direct re-
11 cipients for funding allocated under 104(b)(6) of
12 this title or section 5305(g) of title 49, United
13 States Code.”.

14 (c) FEDERAL TRANSPARENCY.—The Secretary shall
15 give the same access to Federal-aid financial management
16 systems to metropolitan planning organizations that it
17 provides to State Departments of Transportation.

18 **SEC. 10. RURAL TRANSPORTATION PLANNING.**

19 Section 135 of title 23, United States Code by adding
20 at the end the following:

21 “(n) REGIONAL TRANSPORTATION PLANNING FUND-
22 ING.—

23 “(1) IN GENERAL.—Not later than 180 days
24 after the date of enactment of this Act, the Sec-
25 retary shall establish a program to provide assist-

1 ance to States to support Regional Transportation
2 Planning Organizations and regional entities respon-
3 sible for transportation planning or economic devel-
4 opment planning in nonmetropolitan areas of the
5 State in carrying out the duties contained in sub-
6 section (m) of this section.

7 “(2) USE OF FUNDS.—Funds made available to
8 States under section 104(b)(9) of this title shall be
9 utilized to—

10 “(A) provide direct funding to federally
11 designated Regional Transportation Planning
12 Organizations to enable them to carry out the
13 duties contained in paragraph (m)(4) of this
14 section; and

15 “(B) undertake activities, including the es-
16 tablishment of State-based pilot programs, to
17 provide assistance to regional entities respon-
18 sible for transportation planning or economic
19 development planning in nonmetropolitan areas
20 of the State to—

21 “(i) increase the organizations under-
22 standing statewide transportation planning
23 requirements;

24 “(ii) provide technical assistance in
25 building organizational capacity and devel-

1 oping transportation planning expertise
2 necessary to develop multimodal long-range
3 transportation plans;

4 “(iii) strengthening rural partnerships
5 and collaboration;

6 “(iv) enhance project prioritization
7 and delivery;

8 “(v) improve the overall statewide
9 transportation planning process and re-
10 spond to nonmetropolitan needs; and

11 “(vi) secure Federal designation of re-
12 gional transportation planning organiza-
13 tions.

14 “(3) ELIGIBLE RECIPIENTS.—Funding made
15 available to States under section 104(b)(9) of this
16 title shall be made available to—

17 “(A) regional transportation planning or-
18 ganization organizations as defined under sec-
19 tion 134 (b)(5); and

20 “(B) regional entities responsible for trans-
21 portation planning or economic development
22 planning in nonmetropolitan areas of the State.

23 “(4) DISTRIBUTION OF FUNDS WITHIN
24 STATES.—

1 “(A) IN GENERAL.—The amounts made
2 available to States to carry out this program
3 under section 104(b)(9) of this title shall be
4 distributed within the State—

5 “(i) among all Federally Designated
6 Regional Transportation Planning Organi-
7 zation through a formula developed by the
8 State; and

9 “(ii) to non-Federally designated re-
10 gional entities responsible for transpor-
11 tation planning or economic development
12 planning in nonmetropolitan areas of the
13 State through a grant process allowing re-
14 gional entities to submit proposals for
15 funding that achieve the objectives of this
16 subsection.

17 “(B) SECRETARIAL APPROVAL.—Both the
18 formula distribution developed by a State under
19 clause (i) of this paragraph and the grant proc-
20 ess undertaken by a State under clause (ii) of
21 this paragraph shall be approved by the Sec-
22 retary.

23 “(C) MINIMUM ALLOCATION.—States re-
24 ceiving funding under this paragraph shall pro-
25 vide each federally designated regional trans-

1 portation planning organization not less than
2 \$300,000 in fiscal years 2027 through 2031 to
3 carry out this subsection.

4 “(5) FEDERAL SHARE.—The Federal share
5 payable on activities carried out with funds provided
6 under this program shall be 100 percent.”.