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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.**

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To improve Federal transportation programs, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

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**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:

## 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 “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 “(

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—

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

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

3                   “(2) PROJECT SELECTION.—A State shall only  
4                   oblige 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

## 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 metropolitan  
23        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                   FUND.—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 Organiza-  
7                     tion 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.”.