

NOVEMBER 3, 2015

RULES COMMITTEE PRINT 114-33

[Text of additional amendments to be made in order by H. Res. 507.]

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO RULES COMMITTEE PRINT
114-32
OFFERED BY MR. LEWIS OF GEORGIA

Page 36, after line 23, insert the following (and re-designate accordingly):

1 “(12) Planning, design, or construction of a
2 Type II noise barrier (as described in section 772.5
3 of title 23, Code of Federal Regulations).”.

Page 38, line 7, strike “(11)” and insert “(12)”.

Page 47, after line 10, insert the following:

4 (8) NATIONAL HIGHWAY SYSTEM DESIGNATION
5 ACT.—Section 339 of the National Highway System
6 Designation Act of 1995 (23 U.S.C. 106 note) is
7 amended—
8 (A) by striking subsection (b); and
9 (B) by redesignating subsections (c)
10 through (j) as subsections (b) through (i), re-
11 spectively.



31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAKANO OF CALIFORNIA
OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

014

AMENDMENT TO RULES COMMITTEE PRINT
114-32
OFFERED BY MR. TAKANO OF CALIFORNIA

Page 68, after line 21, insert the following:

- 1 “(3) SPECIAL RULE.—The Secretary may treat
- 2 a program of eligible projects as a single project for
- 3 purposes of meeting the requirement of paragraph
- 4 (1)(B)(i).



32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWNLEY OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

16

AMENDMENT TO RULES COMMITTEE PRINT
114-32
OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 70, line 24, strike "10 percent" and insert "20 percent".



33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COSTELLO OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. COSTELLO OF PENNSYLVANIA

Page 71, line 2, strike "(i)".



34. AN AMENDMENT TO BE OFFERED BY DELEGATE RADEWAGEN OF AMERICAN SAMOA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

19

AMENDMENT TO RULES COMMITTEE PRINT 114-

32

**OFFERED BY MRS. RADEWAGEN OF AMERICAN
SAMOA**

Page 74, after line 15, insert the following new section:

1 SEC. 1112A. TERRITORIAL HIGHWAY PROGRAM.

2 Section 165(c) of title 23, United States Code, is
3 amended by adding at the end the following:

4 “(8) DIVISION OF FUNDS BETWEEN TERRI-
5 TORIES.—In carrying out this subsection, the Sec-
6 retary shall allocate the funds made available to the
7 territories each fiscal year among the territories ac-
8 cording to quantifiable measures that are indicative
9 of the surface transportation requirements of each of
10 the territories, which may include the use of popu-
11 lation, land area, roadway mileage, or another meas-
12 ure determined appropriate by the Secretary.”.

☒

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EDWARDS OF MARYLAND
OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES



AMENDMENT TO RULES COMMITTEE PRINT 114-
32
OFFERED BY MS. EDWARDS OF MARYLAND

Page 110, strike lines 3 and 4 and insert the following:

1 “(I) improve the reliance and re-
2 liability of the transportation system
3 and reduce or mitigate stormwater
4 impacts of surface transportation;
5 and”.

Page 113, strike lines 22 and 23 and insert the following:

6 “(I) improve the reliance and re-
7 liability of the transportation system
8 and reduce or mitigate stormwater
9 impacts of surface transportation;
10 and”.



36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CALVERT OF CALIFORNIA
OR HIS DESGINEE, DEBATABLE FOR 10 MINUTES

118

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. CALVERT OF CALIFORNIA

Page 164, line 8, strike "up to 10" and insert "up to 25".

Page 164, line 10, strike "up to 10" and insert "up to 25".



37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HARTZLER OF MISSOURI
OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

8

**AMENDMENT TO RULES COMMITTEE PRINT
114-32
OFFERED BY MRS. HARTZLER OF MISSOURI**

Page 226, strike line 13 and all that follows through
“HONEY BEES.—” on line 13 of page 227.

At the end of subtitle D of title I of division A, add
the following:

1 **SEC. ____ . LANDSCAPING AND SCENIC ENHANCEMENT**
2 **FUNDING DISCONTINUED.**

3 (a) **REPEAL.**—Section 319 of title 23, United States
4 Code, and the item relating to that section in the analysis
5 for chapter 1 of such title, are repealed.

6 (b) **EFFECTIVE DATE.**—Section 319 of title 23,
7 United States Code, as in effect on the day before the date
8 of enactment of this Act, shall apply to landscape and
9 roadside development as part of a construction project of
10 Federal-aid highways if funds were obligated for the
11 project before such date of enactment.

☒

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FARENTHOLD OF TEXAS
OF HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

76

AMENDMENT TO RULES COMMITTEE PRINT
114-32
OFFERED BY MR. FARENTHOLD OF TEXAS

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following:

1 “(n) OPERATION OF VEHICLES ON CERTAIN TEXAS
2 HIGHWAYS.—If any segment in Texas of United States
3 Route 59, United States Route 77, United States Route
4 281, United States Route 84, Texas State Highway 44,
5 or another roadway is designated as Interstate Route 69,
6 a vehicle that could operate legally on that segment before
7 the date of such designation may continue to operate on
8 that segment, without regard to any requirement under
9 this section.”.



39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROONEY OF FLORIDA OR
HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. ROONEY OF FLORIDA

At the end of title I of division A, insert the following:

1 **SEC. __. VEHICLE WEIGHT LIMITATIONS FOR INTERSTATE**
2 **SYSTEM HIGHWAYS.**

3 Section 127(a) of title 23, United States Code, as
4 amended by this Act, is further amended by adding at the
5 end the following:

6 “(15) HAULING OF LIVESTOCK.—A State may
7 allow, by special permit, the operation of vehicles
8 with a gross vehicle weight of up to 95,000 pounds
9 for the hauling of livestock. The cost of a special
10 permit issued under this paragraph may not exceed
11 \$200 per year for a livestock trailer.”



40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROTHFUS OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. ROTHEUS OF PENNSYLVANIA

At the end of subtitle D of title I of Division A, add the following:

1 **SEC. ____ . EMERGENCY EXEMPTIONS.**

2 Any road, highway, railway, bridge, or transit facility
3 that is damaged by an emergency that is declared by the
4 Governor of the State and concurred in by the Secretary
5 of Homeland Security or declared as an emergency by the
6 President pursuant to the Robert T. Stafford Disaster Re-
7 lief and Emergency Assistance Act (42 U.S.C. 5121 et
8 seq.) and that is in operation or under construction on
9 the date on which the emergency occurs—

10 (1) may be reconstructed in the same location
11 with the same capacity, dimensions, and design as
12 before the emergency; and

13 (2) shall be exempt from any environmental re-
14 views, approvals, licensing, and permit requirements
15 under—

16 (A) the National Environmental Policy Act
17 of 1969 (42 U.S.C. 4321 et seq.);

1 (B) sections 402 and 404 of the Federal
2 Water Pollution Control Act (33 U.S.C. 1342,
3 1344);

4 (C) division A of subtitle III of title 54,
5 United States Code;

6 (D) the Migratory Bird Treaty Act (16
7 U.S.C. 703 et seq.);

8 (E) the Wild and Scenic Rivers Act (16
9 U.S.C. 1271 et seq.);

10 (F) the Fish and Wildlife Coordination Act
11 (16 U.S.C. 661 et seq.);

12 (G) the Endangered Species Act of 1973
13 (16 U.S.C. 1531 et seq.), except when the re-
14 construction occurs in designated critical habi-
15 tat for threatened and endangered species;

16 (H) Executive Order 11990 (42 U.S.C.
17 4321 note; relating to the protection of wet-
18 land); and

19 (I) any Federal law (including regulations)
20 requiring no net loss of wetland.



41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DESAULNIER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

23

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of subtitle D of title I of Division A, add the following:

1 **SEC. ____.** **ADDITIONAL REQUIREMENTS FOR CERTAIN**
2 **TRANSPORTATION PROJECTS.**

3 (a) **IN GENERAL.**—Section 106 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 “(k) **MEGAPROJECTS.**—

7 “(1) **MEGAPROJECT DEFINED.**—In this sub-
8 section, the term ‘megaproject’ means a project that
9 has an estimated total cost of \$2,500,000,000 or
10 more, and such other projects as may be identified
11 by the Secretary.

12 “(2) **COMPREHENSIVE RISK MANAGEMENT**
13 **PLAN.**—A recipient of Federal financial assistance
14 under this title for a megaproject shall, in order to
15 be authorized for construction, submit to the Sec-
16 retary a comprehensive risk management plan that
17 contains—

1 “(A) a description of the process by which
2 the recipient will identify, quantify, and monitor
3 the risks that might result in cost overruns,
4 project delays, reduced construction quality, or
5 reductions in benefits with respect to the
6 megaproject;

7 “(B) examples of mechanisms the recipient
8 will use to track risks identified pursuant to
9 subparagraph (A);

10 “(C) a plan to control such risks; and

11 “(D) such assurances as the Secretary con-
12 siders appropriate that the recipient will, with
13 respect to the megaproject—

14 “(i) regularly submit to the Secretary
15 updated cost estimates; and

16 “(ii) maintain and regularly reassess
17 financial reserves for addressing known
18 and unknown risks.

19 “(3) PEER REVIEW GROUP.—

20 “(A) IN GENERAL.—A recipient of Federal
21 financial assistance under this title for a
22 megaproject shall, not later than 90 days after
23 the date when such megaproject is authorized
24 for construction, establish a peer review group
25 for such megaproject that consists of at least 5

1 individuals (including at least 1 individual with
2 project management experience) to give expert
3 advice on the scientific, technical, and project
4 management aspects of the megaproject.

5 “(B) MEMBERSHIP.—Not later than 180
6 days after the date of the enactment of this
7 subsection, the Secretary shall establish guide-
8 lines describing how a recipient described in
9 subparagraph (A) shall—

10 “(i) recruit and select members for a
11 peer review group established under such
12 subparagraph;

13 “(ii) ensure that no member of the
14 peer group has a conflict of interest relat-
15 ing to the project; and

16 “(iii) make publicly available the cri-
17 teria for such selection and the identity of
18 members so selected.

19 “(C) TASKS.—A peer review group estab-
20 lished under subparagraph (A) by a recipient of
21 Federal financial assistance for a megaproject
22 shall—

23 “(i) meet annually until completion of
24 the megaproject;

1 “(ii) not later than 90 days after the
2 date of the establishment of the peer re-
3 view group and not later than 90 days
4 after the date of any significant change, as
5 determined by the Secretary, to the scope,
6 schedule, or budget of the megaproject, re-
7 view the scope, schedule, and budget of the
8 megaproject, including planning, engineer-
9 ing, financing, and any other elements de-
10 termined appropriate by the Secretary; and

11 “(iii) submit a report on the findings
12 of each review under clause (ii) to the Sec-
13 retary, Congress, and the recipient.

14 “(4) TRANSPARENCY.—A recipient of Federal
15 financial assistance under this title for a
16 megaproject shall publish on the Internet Web site
17 of such recipient—

18 “(A) the name, license number, and license
19 type of each engineer supervising an aspect of
20 the megaproject; and

21 “(B) the report submitted under para-
22 graph (3)(C)(iii), not later than 90 days after
23 such submission.”.

24 (b) APPLICABILITY.—The amendment made by sub-
25 section (a) applies with respect to projects that are author-

- 1 ized for construction on or after the date that is 1 year
- 2 after the date of the enactment of this Act.



42. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VAN HOLLEN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

14

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. VAN HOLLEN OF MARYLAND

At the end of subtitle D of title I of Division A, add
the following:

1 **SEC. ____ . REGULATION OF MOTOR CARRIERS OF PROP-**
2 **ERTY.**

3 Section 14501(c)(2)(C) of title 49, United States
4 Code, is amended by striking “the price of” and all that
5 follows through “transportation is” and inserting “the
6 regulation of tow truck operations”.

| |

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MICA OF FLORIDA OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES

159R

AMENDMENT TO RULES COMMITTEE PRINT 114-

32

OFFERED BY MR. MICA OF FLORIDA

Page 229, after line 7, insert the following:

1 “(m) OPERATION OF CERTAIN SPECIALIZED HAUL-
2 ING VEHICLES ON THE INTERSTATE.—

3 “(1) IN GENERAL.—A State may not prohibit
4 the operation of an automobile transporter with a
5 gross weight of 84,000 pounds or less on—

6 “(A) any segment of the Interstate System
7 (except a segment exempted under section
8 31111(f) of title 49); or

9 “(B) those classes of qualifying Federal-
10 aid primary highways designated by the Sec-
11 retary under section 31111(e) of title 49.

12 “(2) REASONABLE ACCESS.—A state may not
13 enact or enforce a law denying reasonable access to
14 automobile transporters, to and from highways de-
15 scribed in paragraph (1), to loading or unloading
16 points or facilities for food, fuel, repair, or rest.

17 “(3) AXLE WEIGHT TOLERANCE.—A State shall
18 allow an automobile transporter a tolerance of no

1 more than 5 percent on axle weight limitations set
2 forth in subsection (a).

3 “(4) AUTOMOBILE TRANSPORTER DEFINED.—
4 In this subsection, the term ‘automobile transporter’
5 has the meaning given that term in section 31111(a)
6 of title 49.”.



44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELBENE OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT

10R

114-32

OFFERED BY MS. DELBENE OF WASHINGTON

Page 268, after line 17, insert the following:

1 “(E) REPORT TO CONGRESS.—The Sec-
2 retary shall make publically available a report
3 on the Frontline Workforce Development Pro-
4 gram for each fiscal year, not later than De-
5 cember 31 of the year in which that fiscal year
6 ends. The report shall include a detailed de-
7 scription of activities carried out under this
8 paragraph, an evaluation of the program, and
9 policy recommendations to improve program ef-
10 fectiveness.

☒

45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NAPOLITANO OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

17R

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 184, line 22, strike “and” at the end.

Page 185, line 7, strike “and” at the end.

Page 185, after line 15, insert the following:

1 (iv) by adding at the end the fol-
2 lowing:

3 “(G) WAIVER.—

4 “(i) IN GENERAL.—Upon the request
5 of a public authority, the Secretary may
6 waive the requirements of subparagraph
7 (E) for a facility, and the corresponding
8 program sanctions under subparagraph
9 (F), if the Secretary determines that—

10 “(I) the waiver is in the best in-
11 terest of the traveling public; and

12 “(II) the public authority has
13 made a good faith effort to improve
14 the performance of the facility.

15 “(ii) CONDITION.—The Secretary may
16 require, as a condition of issuance of a

1 waiver under this subparagraph, that a
2 public authority take additional actions,
3 determined by the Secretary, to improve
4 the performance of the facility.”; and

