

By  S.L.C.

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AMENDMENT NO. _____ Calendar No. _____

Purpose: To modify the funding for mass transit to target public transportation and transportation alternatives.

IN THE SENATE OF THE UNITED STATES—110th Cong., 2d Sess.

S. 3036

AMENDMENT No. 4938

To di		tion
l	By <u>Cardin</u>	ions
c	To: _____	
	<u>S. 3036</u>	
Refe	<u>10</u>	nd
	Page(s)	

SPC; 2009 30-772 (S)

AMENDMENT intended to be proposed by Mr. CARDIN

Viz:

- 1 Strike section 611, and insert the following:
- 2 **SEC. 611. PUBLIC TRANSPORTATION AND TRANSPOR-**
- 3 **TATION ALTERNATIVES.**
- 4 (a) TRANSPORTATION SECTOR EMISSION REDUC-
- 5 TION FUND.—There is established in the Treasury of the
- 6 United States a fund, to be known as the “Transportation
- 7 Sector Emission Reduction Fund”.
- 8 (b) AUCTION OF ALLOWANCES.—In accordance with
- 9 subsections (c) and (d), to fund awards for transportation

1 alternatives including public transportation and related
 2 activities, for each of calendar years 2012 through 2050,
 3 the Administrator shall auction a quantity of the emission
 4 allowances established pursuant to section 201(a) for each
 5 calendar year.

6 (c) NUMBER; FREQUENCY.—For each calendar year
 7 during the period described in subsection (b), the Adminis-
 8 trator shall—

- 9 (1) conduct not fewer than 4 auctions; and
- 10 (2) schedule the auctions in a manner to ensure
- 11 that—

12 (A) each auction takes place during the pe-
 13 riod beginning 330 days before, and ending 60
 14 days before, the beginning of each calendar
 15 year; and

16 (B) the interval between each auction is of
 17 equal duration.

18 (d) QUANTITIES OF EMISSION ALLOWANCES AUC-
 19 TIONED.—For each calendar year of the period described
 20 in subsection (b), the Administrator shall auction a quan-
 21 tity of emission allowances in accordance with the applica-
 22 ble percentages described in the following table:

Calendar Year	Percentage for auction for public transportation and transportation alter- natives
2012	1
2013	1

Calendar Year	Percentage for auction for public transportation and transportation alter- natives
2014	1
2015	1
2016	1
2017	1
2018	2
2019	2
2020	2
2021	2
2022	2.75
2023	2.75
2024	2.75
2025	2.75
2026	2.75
2027	2.75
2028	2.75
2029	2.75
2030	2.75
2031	2.75
2032	2.75
2033	2.75
2034	2.75
2035	2.75
2036	2.75
2037	2.75
2038	2.75
2039	2.75
2040	2.75
2041	2.75
2042	2.75
2043	2.75
2044	2.75
2045	2.75
2046	2.75
2047	2.75
2048	2.75
2049	2.75
2050	2.75

1 (e) DEPOSITS.—The Administrator shall deposit all
2 proceeds of auctions conducted pursuant to subsections
3 (b) and (c), immediately on receipt of those proceeds, in
4 the Transportation Sector Emission Reduction Fund es-
5 tablished by subsection (a).

1 (f) USE OF FUNDS.—For each of calendar years
2 2012 through 2050, all funds deposited in the Transpor-
3 tation Sector Emission Reduction Fund in the preceding
4 year pursuant to subsection (e) shall be made available,
5 without further appropriation or fiscal year limitation, for
6 grants described in subsections (g) through (i).

7 (g) GRANTS TO PROVIDE FOR ADDITIONAL AND IM-
8 PROVED PUBLIC TRANSPORTATION SERVICE.—

9 (1) IN GENERAL.—Of the funds deposited in
10 the Transportation Sector Emission Reduction Fund
11 each year pursuant to subsection (e), 65 percent
12 shall be distributed to designated recipients (as de-
13 fined in section 5307(a) of title 49, United States
14 Code) to maintain or improve public transportation
15 and associated measures through activities eligible
16 under that section, including—

17 (A) planning activities;

18 (B) transit enhancements, including pedes-
19 trian and bicycle infrastructure;

20 (C) improvements to lighting, heating,
21 cooling, or ventilation systems in stations and
22 other facilities that reduce direct or indirect
23 greenhouse gas emissions;

1 (D) adjustments to signal timing or other
2 vehicle controlling systems that reduce direct or
3 indirect greenhouse gas emissions;

4 (E) purchasing or retrofitting rolling stock
5 to improve efficiency or reduce greenhouse gas
6 emissions; and

7 (F) improvements to energy distribution
8 systems.

9 (2) DISTRIBUTION.—Of the proceeds of auc-
10 tions conducted under this section, the Adminis-
11 trator shall distribute under paragraph (1)—

12 (A) 60 percent in accordance with the for-
13 mulas contained in subsections (a) through (c)
14 of section 5336 of title 49, United States Code;
15 and

16 (B) 40 percent in accordance with the for-
17 mula contained in section 5340 of that title.

18 (3) TERMS AND CONDITIONS.—A grant pro-
19 vided under this subsection shall be to reduce direct
20 or indirect greenhouse gas emissions and be subject
21 to the terms and conditions applicable to a grant
22 provided under section 5307 of title 49, United
23 States Code.

24 (4) COST SHARE.—The Federal share of cost of
25 carrying out an activity using a grant under this

1 subsection shall be determined in accordance with
2 section 5307(e) of title 49, United States Code.

3 (h) GRANTS FOR CONSTRUCTION OF NEW PUBLIC
4 TRANSPORTATION PROJECTS.—

5 (1) IN GENERAL.—Of the funds deposited in
6 the Transportation Sector Emission Reduction Fund
7 each year pursuant to subsection (e), 30 percent
8 shall be distributed to State and local government
9 authorities, for design, engineering, and construction
10 of new fixed guideway transit projects or extensions
11 to existing fixed guideway transit systems.

12 (2) APPLICATIONS.—Applications for grants
13 under this subsection shall be reviewed according to
14 the process and criteria established under section
15 5309(c) of title 49, United States Code, for major
16 capital investments and section 5309(d) of title 49,
17 United States Code for other projects.

18 (3) TERMS AND CONDITIONS.—Grant funds
19 awarded under this subsection shall be subject to the
20 terms and conditions applicable to a grant made
21 under section 5309 of title 49, United States Code.

22 (i) GRANTS FOR TRANSPORTATION ALTERNATIVES
23 AND TRAVEL DEMAND REDUCTION PROJECTS.—

24 (1) IN GENERAL.—Of the funds deposited into
25 the Transportation Sector Emission Reduction Fund

1 each year pursuant to subsection (e), 5 percent shall
2 be awarded to designated recipients (as defined in
3 section 5307(a) of title 49, United States Code) or
4 State or local government authorities, including re-
5 gional planning organizations and Metropolitan
6 Planning Organizations, to assist in reducing the di-
7 rect and indirect greenhouse gas emissions of the
8 systems of the regional transportation sector,
9 through—

10 (A) programs to reduce vehicle miles trav-
11 eled;

12 (B) bicycle and pedestrian infrastructure,
13 including trail networks integrated with trans-
14 portation plans or bicycle mode-share targets;

15 (C) programs to establish or expand tele-
16 commuting or car pool projects that do not in-
17 clude new roadway capacity;

18 (D) transportation and land-use scenario
19 analyses and stakeholder engagement to sup-
20 port development of integrated transportation
21 plans; and

22 (E) improvements in travel and land-use
23 data collection and in travel models to better
24 measure greenhouse gas emissions and emis-
25 sions reductions.

1 (2) DISTRIBUTION OF FUNDS.—

2 (A) IN GENERAL.—In determining the re-
3 cipients of grants under this subsection, appli-
4 cations shall be evaluated based on the total di-
5 rect and indirect greenhouse gas emissions re-
6 ductions that are projected to result from the
7 project and projected reductions as a percent-
8 age of the total direct and indirect emissions of
9 an entity using methods developed and promul-
10 gated by the Administrator, in concert with the
11 Secretary of Transportation.

12 (B) METHODS.—The methods described in
13 subparagraph (A) shall be promulgated not
14 later than 24 months after the date of enact-
15 ment of this Act.

16 (3) GOVERNMENT SHARE OF COSTS.—The Fed-
17 eral share of the cost of an activity funded using
18 amounts made available under this subsection may
19 not exceed 80 percent of the cost of the activity.

20 (4) TERMS AND CONDITIONS.—Except to the
21 extent inconsistent with the terms of this subsection,
22 grant funds awarded under this subsection shall be
23 subject to the terms and conditions applicable to a
24 grant made under section 5307 of title 49, United
25 States Code.

1 (j) CONDITION FOR RECEIPT OF FUNDS.—To be eli-
2 gible to receive funds under this section, projects or activi-
3 ties must be part of an integrated State-wide, regional,
4 or local transportation plan that shall—

5 (1) include all modes of surface transportation;

6 (2) utilize integrated transportation data collec-
7 tion, monitoring, planning, and modeling methods
8 that consider land use and account for non-motor-
9 ized and sub-zone trips;

10 (3) report every three years on estimated direct
11 and indirect transportation sector greenhouse gas
12 emissions;

13 (4) be designed to reduce greenhouse gas emis-
14 sions from the transportation sector through setting
15 specific reduction targets, managing motor vehicle
16 usage; and

17 (5) be certified by the Administrator as con-
18 sistent with the purposes of this Act.

19 (k) TRANSPORTATION SECTOR TECHNICAL CAPACITY
20 AND STANDARDS.—

21 (1) STUDY.—Not later than 180 days after the
22 date of enactment of this Act, to maximize green-
23 house gas emission reductions from the transpor-
24 tation sector—

1 (A) the National Academy of Sciences
2 Transportation Research Board shall submit to
3 the Administrator and the Secretary of Trans-
4 portation a report containing recommendations
5 for improving research and tools to assess the
6 effect of transportation plans and land use
7 plans on motor vehicle usage rates and trans-
8 portation sector greenhouse gas emissions; and

9 (B) the Comptroller General of the United
10 States shall submit to the Administrator and
11 the Secretary of Transportation a report de-
12 scribing any shortcomings of current govern-
13 ment data sources necessary—

14 (i) to assess greenhouse gas emissions
15 from the transportation sector; and

16 (ii) to establish plans and policies to
17 effectively reduce greenhouse gas emissions
18 from the transportation sector.

19 (2) TECHNICAL STANDARDS.—Not later than 2
20 years after the date of enactment of this Act, based
21 on any recommendations contained in the reports
22 submitted under paragraph (1), the Administrator
23 and the Secretary of Transportation shall promul-
24 gate standards for transportation data collection,
25 monitoring, planning, and modeling.