

114TH CONGRESS  
1ST SESSION

# H. R. 3819

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2015

Mr. SHUSTER (for himself, Mr. RYAN of Wisconsin, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, 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; RECONCILIATION OF FUNDS;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Surface Transportation Extension Act of 2015”.

1 (b) RECONCILIATION OF FUNDS.—The Secretary of  
 2 Transportation shall reduce the amount apportioned or al-  
 3 located for a program, project, or activity under this Act  
 4 in fiscal year 2016 by amounts apportioned or allocated  
 5 pursuant to the Surface Transportation and Veterans  
 6 Health Care Choice Improvement Act of 2015, including  
 7 the amendments made by that Act, for the period begin-  
 8 ning on October 1, 2015, and ending on October 29, 2015.

9 (c) TABLE OF CONTENTS.—The table of contents for  
 10 this Act is as follows:

Sec. 1. Short title; reconciliation of funds; table of contents.

#### TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

##### Subtitle A—Federal-Aid Highways

Sec. 1001. Extension of Federal-aid highway programs.

Sec. 1002. Administrative expenses.

##### Subtitle B—Extension of Highway Safety Programs

Sec. 1101. Extension of National Highway Traffic Safety Administration high-  
 way safety programs.

Sec. 1102. Extension of Federal Motor Carrier Safety Administration pro-  
 grams.

Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.

##### Subtitle C—Public Transportation Programs

Sec. 1201. Formula grants for rural areas.

Sec. 1202. Apportionment of appropriations for formula grants.

Sec. 1203. Authorizations for public transportation.

Sec. 1204. Bus and bus facilities formula grants.

##### Subtitle D—Hazardous Materials

Sec. 1301. Authorization of appropriations.

Sec. 1302. Ensuring safe implementation of positive train control systems.

#### TITLE II—REVENUE PROVISIONS

Sec. 2001. Extension of Highway Trust Fund expenditure authority.

1 **TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION**  
2  
3

4 **Subtitle A—Federal-Aid Highways**

5 **SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.**  
6

7 (a) IN GENERAL.—Section 1001(a) of the Highway  
8 and Transportation Funding Act of 2014 (128 Stat.  
9 1840) is amended by striking “October 29, 2015” and in-  
10 serting “November 20, 2015”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) HIGHWAY TRUST FUND.—Section  
13 1001(b)(1)(B) of the Highway and Transportation  
14 Funding Act of 2014 (128 Stat. 1840) is amended  
15 by striking “for the period beginning on October 1,  
16 2015, and ending on October 29, 2015, <sup>29</sup>/<sub>366</sub> of the  
17 total amount” and inserting “for the period begin-  
18 ning on October 1, 2015, and ending on November  
19 20, 2015, <sup>51</sup>/<sub>366</sub> of the total amount”.

20 (2) GENERAL FUND.—Section 1123(h)(1) of  
21 MAP–21 (23 U.S.C. 202 note) is amended by strik-  
22 ing “and \$2,377,049 out of the general fund of the  
23 Treasury to carry out the program for the period be-  
24 ginning on October 1, 2015, and ending on October  
25 29, 2015” and inserting “and \$4,180,328 out of the

1 general fund of the Treasury to carry out the pro-  
2 gram for the period beginning on October 1, 2015,  
3 and ending on November 20, 2015”.

4 (c) USE OF FUNDS.—

5 (1) IN GENERAL.—Section 1001(c)(1)(B) of the  
6 Highway and Transportation Funding Act of 2014  
7 (128 Stat. 1840) is amended—

8 (A) by striking “October 29, 2015,” and  
9 inserting “November 20, 2015,”; and

10 (B) by striking “<sup>29</sup>/<sub>366</sub>” and inserting  
11 “<sup>51</sup>/<sub>366</sub>”.

12 (2) OBLIGATION CEILING.—Section 1102 of  
13 MAP-21 (23 U.S.C. 104 note) is amended—

14 (A) by striking subsection (a)(4) and in-  
15 serting the following:

16 “(4) \$5,595,839,851 for the period beginning  
17 on October 1, 2015, and ending on November 20,  
18 2015.”;

19 (B) in subsection (b)(12) by striking “,  
20 and for the period beginning on October 1,  
21 2015, and ending on October 29, 2015, only in  
22 an amount equal to \$639,000,000, less any re-  
23 ductions that would have otherwise been re-  
24 quired for that year by section 251A of the Bal-  
25 anced Budget and Emergency Deficit Control

1 Act of 1985 (2 U.S.C. 901a), then multiplied  
2 by  $\frac{29}{366}$  for that period” and inserting “, and  
3 for the period beginning on October 1, 2015,  
4 and ending on November 20, 2015, only in an  
5 amount equal to \$639,000,000, less any reduc-  
6 tions that would have otherwise been required  
7 for that year by section 251A of the Balanced  
8 Budget and Emergency Deficit Control Act of  
9 1985 (2 U.S.C. 901a), then multiplied by  $\frac{51}{366}$   
10 for that period”;

11 (C) in subsection (c)—

12 (i) in the matter preceding paragraph  
13 (1) by striking “October 29, 2015” and in-  
14 serting “November 20, 2015”; and

15 (ii) in paragraph (2) in the matter  
16 preceding subparagraph (A) by striking  
17 “for the period beginning on October 1,  
18 2015, and ending on October 29, 2015,  
19 that is equal to  $\frac{29}{366}$  of such unobligated  
20 balance” and inserting “for the period be-  
21 ginning on October 1, 2015, and ending on  
22 November 20, 2015, that is equal to  $\frac{51}{366}$   
23 of such unobligated balance”; and

1 (D) in subsection (f)(1) in the matter pre-  
2 ceding subparagraph (A) by striking “October  
3 29, 2015” and inserting “November 20, 2015”.

4 **SEC. 1002. ADMINISTRATIVE EXPENSES.**

5 Section 1002 of the Highway and Transportation  
6 Funding Act of 2014 (128 Stat. 1842) is amended—

7 (1) by striking subsection (a)(2) and inserting  
8 the following:

9 “(2) \$61,311,475 for the period beginning on  
10 October 1, 2015, and ending on November 20,  
11 2015.”; and

12 (2) in subsection (b)(2) by striking “and for the  
13 period beginning on October 1, 2015, and ending on  
14 October 29, 2015, subject to the limitations on ad-  
15 ministrative expenses under the heading ‘Federal  
16 Highway Administration’” and inserting “and for  
17 the period beginning on October 1, 2015, and ending  
18 on November 20, 2015, subject to the limitations on  
19 administrative expenses for the Federal Highway  
20 Administration and Appalachian Regional Commis-  
21 sion”.

1     **Subtitle B—Extension of Highway**  
2                     **Safety Programs**

3     **SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC**  
4                     **SAFETY ADMINISTRATION HIGHWAY SAFETY**  
5                     **PROGRAMS.**

6             (a) EXTENSION OF PROGRAMS.—

7                     (1) HIGHWAY SAFETY PROGRAMS.—Section  
8             31101(a)(1)(D) of MAP–21 (126 Stat. 733) is  
9             amended to read as follows:

10                             “(D) \$32,745,902 for the period beginning  
11                     on October 1, 2015, and ending on November  
12                     20, 2015.”.

13                     (2) HIGHWAY SAFETY RESEARCH AND DEVEL-  
14             OPMENT.—Section 31101(a)(2)(D) of MAP–21 (126  
15             Stat. 733) is amended to read as follows:

16                             “(D) \$15,815,574 for the period beginning  
17                     on October 1, 2015, and ending on November  
18                     20, 2015.”.

19                     (3) NATIONAL PRIORITY SAFETY PROGRAMS.—  
20             Section 31101(a)(3)(D) of MAP–21 (126 Stat. 733)  
21             is amended to read as follows:

22                             “(D) \$37,901,639 for the period beginning  
23                     on October 1, 2015, and ending on November  
24                     20, 2015.”.

1           (4) NATIONAL DRIVER REGISTER.—Section  
2 31101(a)(4)(D) of MAP–21 (126 Stat. 733) is  
3 amended to read as follows:

4           “(D) \$696,721 for the period beginning on  
5 October 1, 2015, and ending on November 20,  
6 2015.”.

7           (5) HIGH VISIBILITY ENFORCEMENT PRO-  
8 GRAM.—

9           (A) AUTHORIZATION OF APPROPRIA-  
10 TIONS.—Section 31101(a)(5)(D) of MAP–21  
11 (126 Stat. 733) is amended to read as follows:

12           “(D) \$4,040,984 for the period beginning  
13 on October 1, 2015, and ending on November  
14 20, 2015.”.

15           (B) LAW ENFORCEMENT CAMPAIGNS.—  
16 Section 2009(a) of SAFETEA–LU (23 U.S.C.  
17 402 note) is amended—

18           (i) in the first sentence by striking  
19 “October 29, 2015” and inserting “No-  
20 vember 20, 2015”; and

21           (ii) in the second sentence by striking  
22 “October 29, 2015,” and inserting “No-  
23 vember 20, 2015,”.





1           “(11) \$30,377,049 for the period beginning on  
2           October 1, 2015, and ending on November 20,  
3           2015.”.

4           (b)       ADMINISTRATIVE       EXPENSES.—Section  
5           31104(i)(1)(K) of title 49, United States Code, is amend-  
6           ed to read as follows:

7                   “(K) \$36,090,164 for the period beginning  
8                   on October 1, 2015, and ending on November  
9                   20, 2015.”.

10          (c) GRANT PROGRAMS.—

11               (1) COMMERCIAL DRIVER’S LICENSE PROGRAM  
12               IMPROVEMENT GRANTS.—Section 4101(c)(1) of  
13               SAFETEA–LU (119 Stat. 1715) is amended by  
14               striking “and \$2,377,049 for the period beginning  
15               on October 1, 2015, and ending on October 29,  
16               2015” and inserting “and \$4,180,328 for the period  
17               beginning on October 1, 2015, and ending on No-  
18               vember 20, 2015”.

19               (2) BORDER ENFORCEMENT GRANTS.—Section  
20               4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is  
21               amended by striking “and \$2,535,519 for the period  
22               beginning on October 1, 2015, and ending on Octo-  
23               ber 29, 2015” and inserting “and \$4,459,016 for  
24               the period beginning on October 1, 2015, and ending  
25               on November 20, 2015”.

1           (3) PERFORMANCE AND REGISTRATION INFOR-  
2           MATION SYSTEM MANAGEMENT GRANT PROGRAM.—  
3           Section 4101(c)(3) of SAFETEA–LU (119 Stat.  
4           1715) is amended by striking “and \$396,175 for the  
5           period beginning on October 1, 2015, and ending on  
6           October 29, 2015” and inserting “and \$696,721 for  
7           the period beginning on October 1, 2015, and ending  
8           on November 20, 2015”.

9           (4) COMMERCIAL VEHICLE INFORMATION SYS-  
10          TEMS AND NETWORKS DEPLOYMENT PROGRAM.—  
11          Section 4101(c)(4) of SAFETEA–LU (119 Stat.  
12          1715) is amended by striking “and \$1,980,874 for  
13          the period beginning on October 1, 2015, and ending  
14          on October 29, 2015” and inserting “and  
15          \$3,483,607 for the period beginning on October 1,  
16          2015, and ending on November 20, 2015”.

17          (5) SAFETY DATA IMPROVEMENT GRANTS.—  
18          Section 4101(c)(5) of SAFETEA–LU (119 Stat.  
19          1715) is amended by striking “and \$237,705 for the  
20          period beginning on October 1, 2015, and ending on  
21          October 29, 2015” and inserting “and \$418,033 for  
22          the period beginning on October 1, 2015, and ending  
23          on November 20, 2015”.

24          (d)       HIGH-PRIORITY        ACTIVITIES.—Section  
25          31104(k)(2) of title 49, United States Code, is amended

1 by striking “and up to \$1,188,525 for the period begin-  
2 ning on October 1, 2015, and ending on October 29,  
3 2015,” and inserting “and up to \$2,090,164 for the period  
4 beginning on October 1, 2015, and ending on November  
5 20, 2015,”.

6 (e) NEW ENTRANT AUDITS.—Section  
7 31144(g)(5)(B) of title 49, United States Code, is amend-  
8 ed by striking “and up to \$2,535,519 for the period begin-  
9 ning on October 1, 2015, and ending on October 29,  
10 2015,” and inserting “and up to \$4,459,016 for the period  
11 beginning on October 1, 2015, and ending on November  
12 20, 2015,”.

13 (f) OUTREACH AND EDUCATION.—Section 4127(e) of  
14 SAFETEA–LU (119 Stat. 1741) is amended by striking  
15 “and \$316,940 to the Federal Motor Carrier Safety Ad-  
16 ministration for the period beginning on October 1, 2015,  
17 and ending on October 29, 2015,” and inserting “and  
18 \$557,377 to the Federal Motor Carrier Safety Adminis-  
19 tration for the period beginning on October 1, 2015, and  
20 ending on November 20, 2015,”.

21 (g) GRANT PROGRAM FOR COMMERCIAL MOTOR VE-  
22 HICLE OPERATORS.—Section 4134(c) of SAFETEA–LU  
23 (49 U.S.C. 31301 note) is amended by striking “and  
24 \$79,235 for the period beginning on October 1, 2015, and  
25 ending on October 29, 2015,” and inserting “and

1 \$139,344 for the period beginning on October 1, 2015,  
2 and ending on November 20, 2015,”.

3 **SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION**

4 **ACT.**

5 Section 4 of the Dingell-Johnson Sport Fish Restora-  
6 tion Act (16 U.S.C. 777c) is amended—

7 (1) in subsection (a) in the matter preceding  
8 paragraph (1) by striking “October 29, 2015” and  
9 inserting “November 20, 2015”; and

10 (2) in subsection (b)(1)(A) by striking “October  
11 29, 2015,” and inserting “November 20, 2015,”.

12 **Subtitle C—Public Transportation**  
13 **Programs**

14 **SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.**

15 Section 5311(c)(1) of title 49, United States Code,  
16 is amended—

17 (1) in subparagraph (A) by striking “and  
18 \$396,175 for the period beginning on October 1,  
19 2015, and ending on October 29, 2015,” and insert-  
20 ing “and \$696,721 for the period beginning on Oc-  
21 tober 1, 2015, and ending on November 20, 2015,”;  
22 and

23 (2) in subparagraph (B) by striking “and  
24 \$1,980,874 for the period beginning on October 1,  
25 2015, and ending on October 29, 2015,” and insert-

1 ing “and \$3,483,607 for the period beginning on Oc-  
2 tober 1, 2015, and ending on November 20, 2015,”.

3 **SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR**  
4 **FORMULA GRANTS.**

5 Section 5336(h)(1) of title 49, United States Code,  
6 is amended by striking “and \$2,377,049 for the period  
7 beginning on October 1, 2015, and ending on October 29,  
8 2015,” and inserting “and \$4,180,328 for the period be-  
9 ginning on October 1, 2015, and ending on November 20,  
10 2015,”.

11 **SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPOR-**  
12 **TATION.**

13 (a) FORMULA GRANTS.—Section 5338(a) of title 49,  
14 United States Code, is amended—

15 (1) in paragraph (1) by striking “and  
16 \$681,024,590 for the period beginning on October 1,  
17 2015, and ending on October 29, 2015” and insert-  
18 ing “and \$1,197,663,934 for the period beginning  
19 on October 1, 2015, and ending on November 20,  
20 2015”; and

21 (2) in paragraph (2)—

22 (A) in subparagraph (A) by striking “and  
23 \$10,205,464 for the period beginning on Octo-  
24 ber 1, 2015, and ending on October 29, 2015,”  
25 and inserting “and \$17,947,541 for the period

1 beginning on October 1, 2015, and ending on  
2 November 20, 2015,”;

3 (B) in subparagraph (B) by striking “and  
4 \$792,350 for the period beginning on October  
5 1, 2015, and ending on October 29, 2015,” and  
6 inserting “and \$1,393,443 for the period begin-  
7 ning on October 1, 2015, and ending on No-  
8 vember 20, 2015,”;

9 (C) in subparagraph (C) by striking “and  
10 \$353,281,011 for the period beginning on Octo-  
11 ber 1, 2015, and ending on October 29, 2015,”  
12 and inserting “and \$621,287,295 for the period  
13 beginning on October 1, 2015, and ending on  
14 November 20, 2015,”;

15 (D) in subparagraph (D) by striking “and  
16 \$20,466,393 for the period beginning on Octo-  
17 ber 1, 2015, and ending on October 29, 2015,”  
18 and inserting “and \$35,992,623 for the period  
19 beginning on October 1, 2015, and ending on  
20 November 20, 2015,”;

21 (E) in subparagraph (E)—

22 (i) by striking “and \$48,159,016 for  
23 the period beginning on October 1, 2015,  
24 and ending on October 29, 2015,” and in-  
25 serting “and \$84,693,443 for the period

1 beginning on October 1, 2015, and ending  
2 on November 20, 2015,”;

3 (ii) by striking “and \$2,377,049 for  
4 the period beginning on October 1, 2015,  
5 and ending on October 29, 2015,” and in-  
6 serting “and \$4,180,328 for the period be-  
7 ginning on October 1, 2015, and ending on  
8 November 20, 2015,”; and

9 (iii) by striking “and \$1,584,699 for  
10 the period beginning on October 1, 2015,  
11 and ending on October 29, 2015,” and in-  
12 serting “and \$2,786,885 for the period be-  
13 ginning on October 1, 2015, and ending on  
14 November 20, 2015,”;

15 (F) in subparagraph (F) by striking “and  
16 \$237,705 for the period beginning on October  
17 1, 2015, and ending on October 29, 2015,” and  
18 inserting “and \$418,033 for the period begin-  
19 ning on October 1, 2015, and ending on No-  
20 vember 20, 2015,”;

21 (G) in subparagraph (G) by striking “and  
22 \$396,175 for the period beginning on October  
23 1, 2015, and ending on October 29, 2015,” and  
24 inserting “and \$696,721 for the period begin-



1           ning on October 1, 2015, and ending on No-  
2           vember 20, 2015,”;

3           (H) in subparagraph (H) by striking “and  
4           \$305,055 for the period beginning on October  
5           1, 2015, and ending on October 29, 2015,” and  
6           inserting “and \$536,475 for the period begin-  
7           ning on October 1, 2015, and ending on No-  
8           vember 20, 2015,”;

9           (I) in subparagraph (I) by striking “and  
10          \$171,615,027 for the period beginning on Octo-  
11          ber 1, 2015, and ending on October 29, 2015,”  
12          and inserting “and \$301,805,738 for the period  
13          beginning on October 1, 2015, and ending on  
14          November 20, 2015,”;

15          (J) in subparagraph (J) by striking “and  
16          \$33,896,721 for the period beginning on Octo-  
17          ber 1, 2015, and ending on October 29, 2015,”  
18          and inserting “and \$59,611,475 for the period  
19          beginning on October 1, 2015, and ending on  
20          November 20, 2015,”; and

21          (K) in subparagraph (K) by striking “and  
22          \$41,669,672 for the period beginning on Octo-  
23          ber 1, 2015, and ending on October 29, 2015,”  
24          and inserting “and \$73,281,148 for the period

1 beginning on October 1, 2015, and ending on  
2 November 20, 2015.”.

3 (b) RESEARCH, DEVELOPMENT DEMONSTRATION  
4 AND DEPLOYMENT PROJECTS.—Section 5338(b) of title  
5 49, United States Code, is amended by striking “and  
6 \$5,546,448 for the period beginning on October 1, 2015,  
7 and ending on October 29, 2015” and inserting “and  
8 \$9,754,098 for the period beginning on October 1, 2015,  
9 and ending on November 20, 2015”.

10 (c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—  
11 Section 5338(c) of title 49, United States Code, is amend-  
12 ed by striking “and \$554,645 for the period beginning on  
13 October 1, 2015, and ending on October 29, 2015” and  
14 inserting “and \$975,410 for the period beginning on Octo-  
15 ber 1, 2015, and ending on November 20, 2015”.

16 (d) TECHNICAL ASSISTANCE AND STANDARDS DE-  
17 VELOPMENT.—Section 5338(d) of title 49, United States  
18 Code, is amended by striking “and \$554,645 for the pe-  
19 riod beginning on October 1, 2015, and ending on October  
20 29, 2015” and inserting “and \$975,410 for the period be-  
21 ginning on October 1, 2015, and ending on November 20,  
22 2015”.

23 (e) HUMAN RESOURCES AND TRAINING.—Section  
24 5338(e) of title 49, United States Code, is amended by  
25 striking “and \$396,175 for the period beginning on Octo-

ber 1, 2015, and ending on October 29, 2015” and inserting “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking “and \$151,101,093 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$265,729,508 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$8,240,437 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$14,491,803 for the period beginning on October 1, 2015, and ending on November 20, 2015”;

(2) in paragraph (2) by striking “and not less than \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and not less than \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015,”; and

(3) in paragraph (3) by striking “and not less than \$79,235 for the period beginning on October 1,

1 2015, and ending on October 29, 2015,” and insert-  
2 ing “and not less than \$139,344 for the period be-  
3 ginning on October 1, 2015, and ending on Novem-  
4 ber 20, 2015,”.

5 **SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.**

6 Section 5339(d)(1) of title 49, United States Code,  
7 is amended—

8 (1) by striking “and \$5,189,891 for the period  
9 beginning on October 1, 2015, and ending on Octo-  
10 ber 29, 2015,” and inserting “and \$9,127,049 for  
11 the period beginning on October 1, 2015, and ending  
12 on November 20, 2015,”;

13 (2) by striking “\$99,044 for such period” and  
14 inserting “\$174,180 for such period”; and

15 (3) by striking “\$39,617 for such period” and  
16 inserting “\$69,672 for such period”.

17 **Subtitle D—Hazardous Materials**

18 **SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—Section 5128(a)(4) of title 49,  
20 United States Code, is amended to read as follows:

21 “(4) \$5,958,639 for the period beginning on  
22 October 1, 2015, and ending on November 20,  
23 2015.”.

1 (b) HAZARDOUS MATERIALS EMERGENCY PRE-  
2 PAREDNESS FUND.—Section 5128(b)(2) of title 49,  
3 United States Code, is amended to read as follows:

4 “(2) FISCAL YEAR 2016.—From the Hazardous  
5 Materials Emergency Preparedness Fund established  
6 under section 5116(i), the Secretary may expend for  
7 the period beginning on October 1, 2015, and ending  
8 on November 20, 2015—

9 “(A) \$26,197 to carry out section 5115;

10 “(B) \$3,037,705 to carry out subsections  
11 (a) and (b) of section 5116, of which not less  
12 than \$1,902,049 shall be available to carry out  
13 section 5116(b);

14 “(C) \$20,902 to carry out section 5116(f);

15 “(D) \$87,090 to publish and distribute the  
16 Emergency Response Guidebook under section  
17 5116(i)(3); and

18 “(E) \$139,344 to carry out section  
19 5116(j).”.

20 (c) HAZARDOUS MATERIALS TRAINING GRANTS.—  
21 Section 5128(c) of title 49, United States Code, is amend-  
22 ed by striking “and \$316,940 for the period beginning on  
23 October 1, 2015, and ending on October 29, 2015,” and  
24 inserting “and \$557,377 for the period beginning on Octo-  
25 ber 1, 2015, and ending on November 20, 2015,”.

1 **SEC. 1302. ENSURING SAFE IMPLEMENTATION OF POSITIVE**  
2 **TRAIN CONTROL SYSTEMS.**

3 (a) **SHORT TITLE.**—This section may be cited as the  
4 “Positive Train Control Enforcement and Implementation  
5 Act of 2015”.

6 (b) **IN GENERAL.**—Section 20157 of title 49, United  
7 States Code, is amended—

8 (1) in subsection (a)(1)—

9 (A) by striking “18 months after the date  
10 of enactment of the Rail Safety Improvement  
11 Act of 2008” and inserting “90 days after the  
12 date of enactment of the Positive Train Control  
13 Enforcement and Implementation Act of 2015”;

14 (B) by striking “develop and”;

15 (C) by striking “a plan for implementing”  
16 and inserting “a revised plan for imple-  
17 menting”;

18 (D) by striking “December 31, 2015” and  
19 inserting “December 31, 2018”; and

20 (E) in subparagraph (B) by striking  
21 “parts” and inserting “sections”;

22 (2) by striking subsection (a)(2) and inserting  
23 the following:

24 “(2) **IMPLEMENTATION.**—

25 “(A) **CONTENTS OF REVISED PLAN.**—A re-  
26 vised plan required under paragraph (1) shall—

1 “(i) describe—

2 “(I) how the positive train con-  
3 trol system will provide for interoper-  
4 ability of the system with the move-  
5 ments of trains of other railroad car-  
6 riers over its lines; and

7 “(II) how, to the extent practical,  
8 the positive train control system will  
9 be implemented in a manner that ad-  
10 dresses areas of greater risk before  
11 areas of lesser risk;

12 “(ii) comply with the positive train  
13 control system implementation plan con-  
14 tent requirements under section 236.1011  
15 of title 49, Code of Federal Regulations;  
16 and

17 “(iii) provide—

18 “(I) the calendar year or years in  
19 which spectrum will be acquired and  
20 will be available for use in each area  
21 as needed for positive train control  
22 system implementation, if such spec-  
23 trum is not already acquired and  
24 available for use;

1           “(II) the total amount of positive  
2           train control system hardware that  
3           will be installed for implementation,  
4           with totals separated by each major  
5           hardware category;

6           “(III) the total amount of posi-  
7           tive train control system hardware  
8           that will be installed by the end of  
9           each calendar year until the positive  
10          train control system is implemented,  
11          with totals separated by each hard-  
12          ware category;

13          “(IV) the total number of em-  
14          ployees required to receive training  
15          under the applicable positive train  
16          control system regulations;

17          “(V) the total number of employ-  
18          ees that will receive the training, as  
19          required under the applicable positive  
20          train control system regulations, by  
21          the end of each calendar year until  
22          the positive train control system is im-  
23          plemented;

24          “(VI) a summary of any remain-  
25          ing technical, programmatic, oper-



1                   ational, or other challenges to the im-  
2                   plementation of a positive train con-  
3                   trol system, including challenges  
4                   with—

5                               “(aa) availability of public  
6                               funding;

7                               “(bb) interoperability;

8                               “(cc) spectrum;

9                               “(dd) software;

10                              “(ee) permitting; and

11                              “(ff) testing, demonstration,  
12                              and certification; and

13                              “(VII) a schedule and sequence  
14                              for implementing a positive train con-  
15                              trol system by the deadline established  
16                              under paragraph (1).

17                              “(B) ALTERNATIVE SCHEDULE AND SE-  
18                              QUENCE.—Notwithstanding the implementation  
19                              deadline under paragraph (1) and in lieu of a  
20                              schedule and sequence under paragraph  
21                              (2)(A)(iii)(VII), a railroad carrier or other enti-  
22                              ty subject to paragraph (1) may include in its  
23                              revised plan an alternative schedule and se-  
24                              quence for implementing a positive train control  
25                              system, subject to review under paragraph (3).

1           Such schedule and sequence shall provide for  
2           implementation of a positive train control sys-  
3           tem as soon as practicable, but not later than  
4           the date that is 24 months after the implemen-  
5           tation deadline under paragraph (1).

6           “(C) AMENDMENTS.—A railroad carrier or  
7           other entity subject to paragraph (1) may file  
8           a request to amend a revised plan, including  
9           any alternative schedule and sequence, as appli-  
10          cable, in accordance with section 236.1021 of  
11          title 49, Code of Federal Regulations.

12          “(D) COMPLIANCE.—A railroad carrier or  
13          other entity subject to paragraph (1) shall im-  
14          plement a positive train control system in ac-  
15          cordance with its revised plan, including any  
16          amendments or any alternative schedule and se-  
17          quence approved by the Secretary under para-  
18          graph (3).

19          “(3) SECRETARIAL REVIEW.—

20          “(A) NOTIFICATION.—A railroad carrier or  
21          other entity that submits a revised plan under  
22          paragraph (1) and proposes an alternative  
23          schedule and sequence under paragraph (2)(B)  
24          shall submit to the Secretary a written notifica-

1           tion when such railroad carrier or other entity  
2           is prepared for review under subparagraph (B).

3           “(B) CRITERIA.—Not later than 90 days  
4           after a railroad carrier or other entity submits  
5           a notification under subparagraph (A), the Sec-  
6           retary shall review the alternative schedule and  
7           sequence submitted pursuant to paragraph  
8           (2)(B) and determine whether the railroad car-  
9           rier or other entity has demonstrated, to the  
10          satisfaction of the Secretary, that such carrier  
11          or entity has—

12                 “(i) installed all positive train control  
13                 system hardware consistent with the plan  
14                 contents provided pursuant to paragraph  
15                 (2)(A)(iii)(II) on or before the implementa-  
16                 tion deadline under paragraph (1);

17                 “(ii) acquired all spectrum necessary  
18                 for implementation of a positive train con-  
19                 trol system, consistent with the plan con-  
20                 tents provided pursuant to paragraph  
21                 (2)(A)(iii)(I) on or before the implementa-  
22                 tion deadline under paragraph (1);

23                 “(iii) completed employee training re-  
24                 quired under the applicable positive train  
25                 control system regulations;

1           “(iv) included in its revised plan an  
2 alternative schedule and sequence for im-  
3 plementing a positive train control system  
4 as soon as practicable, pursuant to para-  
5 graph (2)(B);

6           “(v) certified to the Secretary in writ-  
7 ing that it will be in full compliance with  
8 the requirements of this section on or be-  
9 fore the date provided in an alternative  
10 schedule and sequence, subject to approval  
11 by the Secretary;

12           “(vi) in the case of a Class I railroad  
13 carrier and Amtrak, implemented a posi-  
14 tive train control system or initiated rev-  
15 enue service demonstration on the majority  
16 of territories, such as subdivisions or dis-  
17 tricts, or route miles that are owned or  
18 controlled by such carrier and required to  
19 have operations governed by a positive  
20 train control system; and

21           “(vii) in the case of any other railroad  
22 carrier or other entity not subject to clause  
23 (vi)—

24                   “(I) initiated revenue service  
25 demonstration on at least 1 territory

1 that is required to have operations  
2 governed by a positive train control  
3 system; or

4 “(II) met any other criteria es-  
5 tablished by the Secretary.

6 “(C) DECISION.—

7 “(i) IN GENERAL.—Not later than 90  
8 days after the receipt of the notification  
9 from a railroad carrier or other entity  
10 under subparagraph (A), the Secretary  
11 shall—

12 “(I) approve an alternative  
13 schedule and sequence submitted pur-  
14 suant to paragraph (2)(B) if the rail-  
15 road carrier or other entity meets the  
16 criteria in subparagraph (B); and

17 “(II) notify in writing the rail-  
18 road carrier or other entity of the de-  
19 cision.

20 “(ii) DEFICIENCIES.—Not later than  
21 45 days after the receipt of the notification  
22 under subparagraph (A), the Secretary  
23 shall provide to the railroad carrier or  
24 other entity a written notification of any  
25 deficiencies that would prevent approval

1 under clause (i) and provide the railroad  
2 carrier or other entity an opportunity to  
3 correct deficiencies before the date speci-  
4 fied in such clause.

5 “(D) REVISED DEADLINES.—

6 “(i) PENDING REVIEWS.—For a rail-  
7 road carrier or other entity that submits a  
8 notification under subparagraph (A), the  
9 deadline for implementation of a positive  
10 train control system required under para-  
11 graph (1) shall be extended until the date  
12 on which the Secretary approves or dis-  
13 approves the alternative schedule and se-  
14 quence, if such date is later than the im-  
15 plementation date under paragraph (1).

16 “(ii) ALTERNATIVE SCHEDULE AND  
17 SEQUENCE DEADLINE.—If the Secretary  
18 approves a railroad carrier or other entity’s  
19 alternative schedule and sequence under  
20 subparagraph (C)(i), the railroad carrier or  
21 other entity’s deadline for implementation  
22 of a positive train control system required  
23 under paragraph (1) shall be the date  
24 specified in that railroad carrier or other  
25 entity’s alternative schedule and sequence.

1           The Secretary may not approve a date for  
2           implementation that is later than 24  
3           months from the deadline in paragraph  
4           (1).”;

5           (3) by striking subsections (c), (d), and (e) and  
6           inserting the following:

7           “(c) PROGRESS REPORTS AND REVIEW.—

8           “(1) PROGRESS REPORTS.—Each railroad car-  
9           rier or other entity subject to subsection (a) shall,  
10          not later than March 31, 2016, and annually there-  
11          after until such carrier or entity has completed im-  
12          plementation of a positive train control system, sub-  
13          mit to the Secretary a report on the progress toward  
14          implementing such systems, including—

15                 “(A) the information on spectrum acquisi-  
16                 tion provided pursuant to subsection  
17                 (a)(2)(A)(iii)(I);

18                 “(B) the totals provided pursuant to sub-  
19                 clauses (III) and (V) of subsection  
20                 (a)(2)(A)(iii), by territory, if applicable;

21                 “(C) the extent to which the railroad car-  
22                 rier or other entity is complying with the imple-  
23                 mentation schedule under subsection  
24                 (a)(2)(A)(iii)(VII) or subsection (a)(2)(B);

1           “(D) any update to the information pro-  
2           vided under subsection (a)(2)(A)(iii)(VI);

3           “(E) for each entity providing regularly  
4           scheduled intercity or commuter rail passenger  
5           transportation, a description of the resources  
6           identified and allocated to implement a positive  
7           train control system;

8           “(F) for each railroad carrier or other en-  
9           tity subject to subsection (a), the total number  
10          of route miles on which a positive train control  
11          system has been initiated for revenue service  
12          demonstration or implemented, as compared to  
13          the total number of route miles required to have  
14          a positive train control system under subsection  
15          (a); and

16          “(G) any other information requested by  
17          the Secretary.

18          “(2) PLAN REVIEW.—The Secretary shall at  
19          least annually conduct reviews to ensure that rail-  
20          road carriers or other entities are complying with  
21          the revised plan submitted under subsection (a), in-  
22          cluding any amendments or any alternative schedule  
23          and sequence approved by the Secretary. Such rail-  
24          road carriers or other entities shall provide such in-



1 formation as the Secretary determines necessary to  
2 adequately conduct such reviews.

3 “(3) PUBLIC AVAILABILITY.—Not later than 60  
4 days after receipt, the Secretary shall make available  
5 to the public on the Internet Web site of the Depart-  
6 ment of Transportation any report submitted pursu-  
7 ant to paragraph (1) or subsection (d), but may ex-  
8 clude, as the Secretary determines appropriate—

9 “(A) proprietary information; and

10 “(B) security-sensitive information, includ-  
11 ing information described in section 1520.5(a)  
12 of title 49, Code of Federal Regulations.

13 “(d) REPORT TO CONGRESS.—Not later than July 1,  
14 2018, the Secretary shall transmit to the Committee on  
15 Transportation and Infrastructure of the House of Rep-  
16 resentatives and the Committee on Commerce, Science,  
17 and Transportation of the Senate a report on the progress  
18 of each railroad carrier or other entity subject to sub-  
19 section (a) in implementing a positive train control system.

20 “(e) ENFORCEMENT.—The Secretary is authorized to  
21 assess civil penalties pursuant to chapter 213 for—

22 “(1) a violation of this section;

23 “(2) the failure to submit or comply with the  
24 revised plan required under subsection (a), including  
25 the failure to comply with the totals provided pursu-

1 ant to subclauses (III) and (V) of subsection  
2 (a)(2)(A)(iii) and the spectrum acquisition dates  
3 provided pursuant to subsection (a)(2)(A)(iii)(I);

4 “(3) failure to comply with any amendments to  
5 such revised plan pursuant to subsection (a)(2)(C);  
6 and

7 “(4) the failure to comply with an alternative  
8 schedule and sequence submitted under subsection  
9 (a)(2)(B) and approved by the Secretary under sub-  
10 section (a)(3)(C).”;

11 (4) in subsection (h)—

12 (A) by striking “The Secretary” and in-  
13 serting the following:

14 “(1) IN GENERAL.—The Secretary”; and

15 (B) by adding at the end the following:

16 “(2) PROVISIONAL OPERATION.—Notwith-  
17 standing the requirements of paragraph (1), the Sec-  
18 retary may authorize a railroad carrier or other enti-  
19 ty to commence operation in revenue service of a  
20 positive train control system or component to the ex-  
21 tent necessary to enable the safe implementation and  
22 operation of a positive train control system in  
23 phases.”;

24 (5) in subsection (i)—

1           (A) by redesignating paragraphs (1)  
2 through (3) as paragraphs (3) through (5), re-  
3 spectively; and

4           (B) by inserting before paragraph (3) (as  
5 so redesignated) the following:

6           “(1) EQUIVALENT OR GREATER LEVEL OF  
7 SAFETY.—The term ‘equivalent or greater level of  
8 safety’ means the compliance of a railroad carrier  
9 with—

10           “(A) appropriate operating rules in place  
11 immediately prior to the use or implementation  
12 of such carrier’s positive train control system,  
13 except that such rules may be changed by such  
14 carrier to improve safe operations; and

15           “(B) all applicable safety regulations, ex-  
16 cept as specified in subsection (j).

17           “(2) HARDWARE.—The term ‘hardware’ means  
18 a locomotive apparatus, a wayside interface unit (in-  
19 cluding any associated legacy signal system replace-  
20 ments), switch position monitors needed for a posi-  
21 tive train control system, physical back office system  
22 equipment, a base station radio, a wayside radio, a  
23 locomotive radio, or a communication tower or  
24 pole.”; and

25           (6) by adding at the end the following:

1 “(j) EARLY ADOPTION.—

2 “(1) OPERATIONS.—From the date of enact-  
3 ment of the Positive Train Control Enforcement and  
4 Implementation Act of 2015 through the 1-year pe-  
5 riod beginning on the date on which the last Class  
6 I railroad carrier’s positive train control system sub-  
7 ject to subsection (a) is certified by the Secretary  
8 under subsection (h)(1) of this section and is imple-  
9 mented on all of that railroad carrier’s lines required  
10 to have operations governed by a positive train con-  
11 trol system, any railroad carrier, including any rail-  
12 road carrier that has its positive train control sys-  
13 tem certified by the Secretary, shall not be subject  
14 to the operational restrictions set forth in sections  
15 236.567 and 236.1029 of title 49, Code of Federal  
16 Regulations, that would apply where a controlling lo-  
17 comotive that is operating in, or is to be operated  
18 in, a positive train control-equipped track segment  
19 experiences a positive train control system failure, a  
20 positive train control operated consist is not pro-  
21 vided by another railroad carrier when provided in  
22 interchange, or a positive train control system other-  
23 wise fails to initialize, cuts out, or malfunctions, pro-  
24 vided that such carrier operates at an equivalent or  
25 greater level of safety than the level achieved imme-

1 diately prior to the use or implementation of its  
2 positive train control system.

3 “(2) SAFETY ASSURANCE.—During the period  
4 described in paragraph (1), if a positive train control  
5 system that has been certified and implemented fails  
6 to initialize, cuts out, or malfunctions, the affected  
7 railroad carrier or other entity shall make reasonable  
8 efforts to determine the cause of the failure and ad-  
9 just, repair, or replace any faulty component causing  
10 the system failure in a timely manner.

11 “(3) PLANS.—The positive train control safety  
12 plan for each railroad carrier or other entity shall  
13 describe the safety measures, such as operating rules  
14 and actions to comply with applicable safety regula-  
15 tions, that will be put in place during any system  
16 failure.

17 “(4) NOTIFICATION.—During the period de-  
18 scribed in paragraph (1), if a positive train control  
19 system that has been certified and implemented fails  
20 to initialize, cuts out, or malfunctions, the affected  
21 railroad carrier or other entity shall submit a notifi-  
22 cation to the appropriate regional office of the Fed-  
23 eral Railroad Administration within 7 days of the  
24 system failure, or under alternative location and  
25 deadline requirements set by the Secretary, and in-

1       clude in the notification a description of the safety  
2       measures the affected railroad carrier or other entity  
3       has in place.

4       “(k) SMALL RAILROADS.—Not later than 120 days  
5       after the date of the enactment of this Act, the Secretary  
6       shall amend section 236.1006(b)(4)(iii)(B) of title 49,  
7       Code of Federal Regulations (relating to equipping loco-  
8       motives for applicable Class II and Class III railroads op-  
9       erating in positive train control territory), to extend each  
10      deadline under such section by 3 years.

11      “(l) REVENUE SERVICE DEMONSTRATION.—When a  
12      railroad carrier or other entity subject to (a)(1) notifies  
13      the Secretary it is prepared to initiate revenue service  
14      demonstration, it shall also notify any applicable tenant  
15      railroad carrier or other entity subject to subsection  
16      (a)(1).”.

17      (c) CONFORMING AMENDMENT.—Section 20157(g),  
18      is amended—

19           (1) by striking “The Secretary” and inserting  
20      the following:

21           “(1) IN GENERAL.—The Secretary”; and

22           (2) by adding at the end the following:

23           “(2) CONFORMING REGULATORY AMEND-  
24      MENTS.—Immediately after the date of the enact-

1 ment of the Positive Train Control Enforcement and  
2 Implementation Act of 2015, the Secretary—

3 “(A) shall remove or revise the date-spe-  
4 cific deadlines in the regulations or orders im-  
5 plementing this section to the extent necessary  
6 to conform with the amendments made by such  
7 Act; and

8 “(B) may not enforce any such date-spe-  
9 cific deadlines or requirements that are incon-  
10 sistent with the amendments made by such Act.

11 “(3) REVIEW.—Nothing in the Positive Train  
12 Control Enforcement and Implementation Act of  
13 2015, or the amendments made by such Act, shall  
14 be construed to require the Secretary to issue regu-  
15 lations to implement such Act or amendments other  
16 than the regulatory amendments required by para-  
17 graph (2) and subsection (k).”.

## 18 **TITLE II—REVENUE PROVISIONS**

### 19 **SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDI- 20 TURE AUTHORITY.**

21 (a) HIGHWAY TRUST FUND.—Section 9503 of the  
22 Internal Revenue Code of 1986 is amended—

23 (1) by striking “October 30, 2015” in sub-  
24 sections (b)(6)(B), (c)(1), and (e)(3) and inserting  
25 “November 21, 2015”, and

1           (2) by striking “Surface Transportation and  
2       Veterans Health Care Choice Improvement Act of  
3       2015” in subsections (c)(1) and (e)(3) and inserting  
4       “Surface Transportation Extension Act of 2015”.

5       (b) SPORT FISH RESTORATION AND BOATING TRUST  
6       FUND.—Section 9504 of such Code is amended—

7           (1) by striking “Surface Transportation and  
8       Veterans Health Care Choice Improvement Act of  
9       2015” each place it appears in subsection (b)(2) and  
10       inserting “Surface Transportation Extension Act of  
11       2015”, and

12           (2) by striking “October 30, 2015” in sub-  
13       section (d)(2) and inserting “November 21, 2015”.

14       (c) LEAKING UNDERGROUND STORAGE TANK TRUST  
15       FUND.—Section 9508(e)(2) of such Code is amended by  
16       striking “October 30, 2015” and inserting “November 21,  
17       2015”.

○