

PUBLIC LAW 108-280—JULY 30, 2004

**SURFACE TRANSPORTATION EXTENSION ACT
OF 2004, PART IV**

Public Law 108–280
108th Congress

An Act

July 30, 2004
[H.R. 4916]

To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

Surface
Transportation
Extension Act of
2004, Part IV.
23 USC 101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Surface Transportation Extension Act of 2004, Part IV”.

SEC. 2. ADVANCES.

(a) **IN GENERAL.**—Section 2(a) of the Surface Transportation Extension Act of 2003 (23 U.S.C. 104 note; 117 Stat. 1110; 118 Stat. 478; 118 Stat. 627; 118 Stat. 698) is amended by striking “and the Surface Transportation Extension Act of 2004, Part III” and inserting “the Surface Transportation Extension Act of 2004, Part III, and the Surface Transportation Extension Act of 2004, Part IV”.

(b) **PROGRAMMATIC DISTRIBUTIONS.**—

(1) **SPECIAL RULES FOR MINIMUM GUARANTEE.**—Section 2(b)(4) of such Act is amended by striking “\$2,333,333,333” and inserting “\$2,800,000,000”.

(2) **EXTENSION OF OFF-SYSTEM BRIDGE SETASIDE.**—Section 144(g)(3) of title 23, United States Code, is amended by striking “2003 and in the period of October 1, 2003, through July 31, 2004,” and inserting “2004”.

(c) **AUTHORIZATION OF CONTRACT AUTHORITY.**—Section 1101(c)(1) of the Transportation Equity Act for the 21st Century (117 Stat. 1111; 118 Stat. 478; 118 Stat. 627; 118 Stat. 698) is amended by striking “\$26,998,288,667 for the period of October 1, 2003, through July 31, 2004” and inserting “\$30,469,806,615 for the period of October 1, 2003, through September 24, 2004”.

23 USC 104 note.

(d) **LIMITATION ON OBLIGATIONS.**—Section 2(e) of the Surface Transportation Extension Act of 2003 (117 Stat. 1111; 118 Stat. 478; 118 Stat. 627) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1) by striking “July 31” and inserting “September 24”;

(2) in paragraph (1)(A)—

(A) by striking “Part II, and” and inserting “Part II.”;

and

(B) by inserting after “Part III” the following: “, and the Surface Transportation Extension Act of 2004, Part IV”;

(3) in paragraph (1)(B) by striking “¹⁰/₁₂” and inserting “⁴⁹/₅₂”;

(4) in paragraph (2)—

(A) by striking “July 31” and inserting “September 24”;

(B) by striking “\$28,202,500,000” and inserting “\$31,890,519,230”; and

(C) by striking “\$532,500,000” and inserting “\$602,134,615”;

(5) in paragraph (3) by striking “July 31” and inserting “September 24”; and

(6) by adding at the end the following:

“(5) CALCULATION OF RATIO.—For purposes of the calculation of the ratio under section 110(a)(3) of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (division F of Public Law 108-199; 118 Stat. 291; 23 U.S.C. 104 note)—

“(A) the obligation limitation for Federal-aid Highways referred to in section 110(a)(3)(A) of such Act shall be deemed to be the obligation limitation for Federal-aid highways and highway safety construction programs for fiscal year 2004 identified under the heading ‘FEDERAL-AID HIGHWAYS’ in such Act (118 Stat. 290); and

“(B) the total of sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of section 110(b) of such Act and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection 110(b)(8) of such Act) for such fiscal year, referred to in section 110(a)(3)(B) of such Act, shall be deemed to be \$34,606,000,000, less the aggregate of the amounts not distributed under section 110(a)(1) of such Act.”.

SEC. 3. REPAYMENT FROM FUTURE APPORTIONMENTS.

Section 2(c) of the Surface Transportation Extension Act of 2003 (117 Stat. 1111) is amended—

(1) in paragraph (1) by striking “a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act” and inserting “the Surface Transportation Extension Act of 2004, Part IV”; and

(2) in paragraph (2) by striking “a law described in paragraph (1)” and inserting “the Surface Transportation Extension Act of 2004, Part IV”.

23 USC 104 note.

SEC. 4. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE I OF TEA-21.—

(1) FEDERAL LANDS HIGHWAYS.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(8)(A) of the Transportation Equity Act for the 21st Century (112 Stat. 112; 117 Stat. 1113; 118 Stat. 479; 118 Stat. 628; 118 Stat. 699) is amended—

(i) in the first sentence by striking “2003 and \$229,166,667 for the period of October 1, 2003, through July 31,”; and

(ii) by striking the second sentence.

(B) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(8)(B) of such Act (112 Stat. 112; 117 Stat. 1113; 118 Stat. 480; 118 Stat. 628; 118 Stat. 699) is amended by striking “2003 and \$205,000,000 for the period of October 1, 2003, through July 31,”.

(C) PARK ROADS AND PARKWAYS.—Section 1101(a)(8)(C) of such Act (112 Stat. 112; 117 Stat. 1113; 118 Stat. 480; 118 Stat. 628; 118 Stat. 699) is amended by striking “2003 and \$137,500,000 for the period of October 1, 2003, through July 31,”.

(D) REFUGE ROADS.—Section 1101(a)(8)(D) of such Act (112 Stat. 112; 117 Stat. 1113; 118 Stat. 480; 118 Stat. 628; 118 Stat. 699) is amended by striking “2003 and \$16,666,667 for the period of October 1, 2003, through July 31,”.

(2) NATIONAL CORRIDOR PLANNING AND DEVELOPMENT AND COORDINATED BORDER INFRASTRUCTURE PROGRAMS.—Section 1101(a)(9) of such Act (112 Stat. 112; 117 Stat. 1114; 118 Stat. 480; 118 Stat. 628; 118 Stat. 699) is amended by striking “2003 and \$116,666,667 for the period of October 1, 2003, through July 31,”.

(3) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—

(A) IN GENERAL.—Section 1101(a)(10) of such Act (112 Stat. 113; 117 Stat. 1114; 118 Stat. 480; 118 Stat. 628; 118 Stat. 699) is amended by striking “2003 and \$31,666,667 for the period of October 1, 2003, through July 31,”.

(B) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 5(a)(3)(B) of the Surface Transportation Extension Act of 2003 (117 Stat. 1114; 118 Stat. 480; 118 Stat. 628; 118 Stat. 700) is amended—

(i) in clause (i) by striking “\$8,333,333” and inserting “\$10,000,000”;

(ii) in clause (ii) by striking “\$4,166,667” and inserting “\$5,000,000”; and

(iii) in clause (iii) by striking “\$4,166,667” and inserting “\$5,000,000”.

(4) NATIONAL SCENIC BYWAYS PROGRAM.—Section 1101(a)(11) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 117 Stat. 1114; 118 Stat. 480; 118 Stat. 629; 118 Stat. 700) is amended by striking “fiscal year 2003, and \$22,916,667 for the period of October 1, 2003, through July 31, 2004” and inserting “fiscal years 2003 and 2004”.

(5) VALUE PRICING PILOT PROGRAM.—Section 1101(a)(12) of such Act (112 Stat. 113; 117 Stat. 1114; 118 Stat. 480; 118 Stat. 629; 118 Stat. 700) is amended by striking “2003 and \$9,166,667 for the period of October 1, 2003, through July 31,”.

(6) HIGHWAY USE TAX EVASION PROJECTS.—Section 1101(a)(14) of such Act (112 Stat. 113; 117 Stat. 1114; 118 Stat. 480; 118 Stat. 629; 118 Stat. 700) is amended by striking “2003 and \$4,166,667 for the period of October 1, 2003, through July 31,”.

(7) COMMONWEALTH OF PUERTO RICO HIGHWAY PROGRAM.—Section 1101(a)(15) of such Act (112 Stat. 113; 117 Stat. 1114;

118 Stat. 481; 118 Stat. 629; 118 Stat. 700) is amended by striking “2003 and \$91,666,667 for the period of October 1, 2003, through July 31.”.

(8) SAFETY GRANTS.—Section 1212(i)(1)(D) of such Act (23 U.S.C. 402 note; 112 Stat. 196; 112 Stat. 840; 117 Stat. 1114; 118 Stat. 481; 118 Stat. 629; 118 Stat. 700) is amended by striking “2003 and \$416,667 for the period of October 1, 2003, through July 31.”.

(9) TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM.—Section 1221(e)(1) of such Act (23 U.S.C. 101 note; 112 Stat. 223; 117 Stat. 1114; 118 Stat. 481; 118 Stat. 629; 118 Stat. 700) is amended by striking “2003 and \$20,833,333 for the period of October 1, 2003, through July 31.”.

(10) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 188 of title 23, United States Code, is amended—

(A) by striking subsection (a)(1)(F) and inserting the following:

“(F) \$130,000,000 for fiscal year 2004.”;

(B) in subsection (a)(2) by striking “2003 and \$1,666,667 for the period of October 1, 2003, through July 31.”; and

(C) in the item relating to fiscal year 2004 in the table contained in subsection (c) by striking “\$2,166,666,667” and inserting “\$2,600,000,000”.

(b) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE V OF TEA-21.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 5001(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 419; 117 Stat. 1115; 118 Stat. 481; 118 Stat. 630; 118 Stat. 701) is amended by striking “\$87,500,000 for the period of October 1, 2003, through July 31, 2004” and inserting “\$103,000,000 for fiscal year 2004”.

(2) TECHNOLOGY DEPLOYMENT PROGRAM.—Section 5001(a)(2) of such Act (112 Stat. 419; 117 Stat. 1115; 118 Stat. 481; 118 Stat. 630; 118 Stat. 701) is amended by striking “\$45,833,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$50,000,000 for fiscal year 2004”.

(3) TRAINING AND EDUCATION.—Section 5001(a)(3) of such Act (112 Stat. 420; 117 Stat. 1115; 118 Stat. 481; 118 Stat. 630; 118 Stat. 701) is amended by striking “\$17,500,000 for the period of October 1, 2003, through July 31, 2004” and inserting “\$20,000,000 for fiscal year 2004”.

(4) BUREAU OF TRANSPORTATION STATISTICS.—Section 5001(a)(4) of such Act (112 Stat. 420; 117 Stat. 1115; 118 Stat. 481; 118 Stat. 630; 118 Stat. 701) is amended by striking “2003 and \$25,833,333 for the period of October 1, 2003, through July 31.”.

(5) ITS STANDARDS, RESEARCH, OPERATIONAL TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of such Act (112 Stat. 420; 117 Stat. 1115; 118 Stat. 481; 118 Stat. 630; 118 Stat. 701) is amended by striking “\$95,833,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$110,000,000 for fiscal year 2004”.

(6) ITS DEPLOYMENT.—Section 5001(a)(6) of such Act (112 Stat. 420; 117 Stat. 1116; 118 Stat. 482; 118 Stat. 630; 118

Stat. 701) is amended by striking “\$103,333,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$122,000,000 for fiscal year 2004”.

(7) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5001(a)(7) of such Act (112 Stat. 420; 117 Stat. 1116; 118 Stat. 482; 118 Stat. 630; 118 Stat. 701) is amended by striking “\$22,500,000 for the period of October 1, 2003, through July 31, 2004” and inserting “\$26,500,000 for fiscal year 2004”.

(c) METROPOLITAN PLANNING.—Section 5(c)(1) of the Surface Transportation Extension Act of 2003 (117 Stat. 1116; 118 Stat. 482; 118 Stat. 630; 118 Stat. 701) is amended by striking “\$200,000,000 for the period of October 1, 2003, through July 31, 2004” and inserting “\$240,000,000 for fiscal year 2004”.

(d) TERRITORIES.—Section 1101(d)(1) of the Transportation Equity Act for the 21st Century (117 Stat. 1116; 118 Stat. 482; 118 Stat. 630; 118 Stat. 702) is amended by striking “\$30,333,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$36,400,000 for fiscal year 2004”.

(e) ALASKA HIGHWAY.—Section 1101(e)(1) of such Act (117 Stat. 1116; 118 Stat. 482; 118 Stat. 630; 118 Stat. 702) is amended by striking “\$15,666,667 for the period of October 1, 2003, through July 31, 2004” and inserting “\$18,800,000 for fiscal year 2004”.

(f) OPERATION LIFESAVER.—Section 1101(f)(1) of such Act (117 Stat. 1117; 118 Stat. 482; 118 Stat. 631; 118 Stat. 702) is amended by striking “\$416,667 for the period of October 1, 2003, through July 31, 2004” and inserting “\$500,000 for fiscal year 2004”.

(g) BRIDGE DISCRETIONARY.—Section 1101(g)(1) of such Act (117 Stat. 1117; 118 Stat. 482; 118 Stat. 631; 108 Stat. 702) is amended—

(1) by striking “\$83,333,333” and inserting “\$100,000,000”;

and

(2) by striking “the period of October 1, 2003 through July 31,” and inserting “fiscal year”.

(h) INTERSTATE MAINTENANCE.—Section 1101(h)(1) of such Act (117 Stat. 1117; 118 Stat. 482; 118 Stat. 631; 118 Stat. 702) is amended—

(1) by striking “\$83,333,333” and inserting “\$100,000,000”;

and

(2) by striking “the period of October 1, 2003, through July 31,” and inserting “fiscal year”.

(i) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—Section 1101(i)(1) of such Act (117 Stat. 1117; 118 Stat. 482; 118 Stat. 631; 118 Stat. 702) is amended by striking “\$625,000 for the period of October 1, 2003, through July 31, 2004” and inserting “\$750,000 for fiscal year 2004”.

(j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—Section 1101(j)(1) of such Act (117 Stat. 1118; 118 Stat. 482; 118 Stat. 631; 118 Stat. 702) is amended—

(1) by striking “\$4,375,000” and inserting “\$5,250,000”;

(2) by striking “\$208,833 instead of”;

(3) by striking “the period of October 1, 2003, through July 31, 2004” each place it appears and inserting “fiscal year 2004”; and

(4) by striking the comma preceding “for eligible”.

(k) NONDISCRIMINATION.—Section 1101(k) of such Act (117 Stat. 1118; 118 Stat. 482; 118 Stat. 631; 118 Stat. 702) is amended—

(1) in paragraph (1) by striking “\$8,333,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$10,000,000 for fiscal year 2004”; and

(2) in paragraph (2) by striking “\$8,333,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$10,000,000 for fiscal year 2004”.

(l) ADMINISTRATION OF FUNDS.—Section 5(l) of the Surface Transportation Extension Act of 2003 (117 Stat. 1118; 118 Stat. 483; 118 Stat. 631; 118 Stat. 702) is amended—

(1) by striking “and section 4 of the Surface Transportation Extension Act of 2004, Part III” and inserting “section 4 of the Surface Transportation Extension Act of 2004, Part III, and section 4 of the Surface Transportation Extension Act of 2004, Part IV”;

(2) by striking “the amendment made by section 4(a)(1) of the Surface Transportation Extension Act, Part II” and all that follows before the period at the end and inserting “the amendment made by section 4(a)(1) of the Surface Transportation Extension Act of 2004, Part II, the amendment made by section 4(a)(1) of the Surface Transportation Extension Act of 2004, Part III, or the amendment made by section 4(a)(1) of the Surface Transportation Extension Act of 2004, Part IV”.

(m) REDUCTION OF ALLOCATED PROGRAMS.—Section 5(m) of such Act (117 Stat. 1119; 118 Stat. 483; 118 Stat. 632; 118 Stat. 703) is amended—

(1) by striking “and section 4 of the Surface Transportation Extension Act of 2004, Part III” and inserting “section 4 of the Surface Transportation Extension Act of 2004, Part III, and section 4 of the Surface Transportation Extension Act of 2004, Part IV”;

(2) by striking “and by section 4 of the Surface Transportation Extension Act of 2004, Part III” each place it appears and inserting “by section 4 of the Surface Transportation Extension Act of 2004, Part III, and by section 4 of the Surface Transportation Extension Act of 2004, Part IV”.

(n) PROGRAM CATEGORY RECONCILIATION.—Section 5(n) of such Act (117 Stat. 1119; 118 Stat. 483; 118 Stat. 632; 118 Stat. 703) is amended by striking “and section 4 of the Surface Transportation Extension Act of 2004, Part III” and inserting “section 4 of the Surface Transportation Extension Act of 2004, Part III, and section 4 of the Surface Transportation Extension Act of 2004, Part IV”.

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) SEAT BELT SAFETY INCENTIVE GRANTS.—Section 157(g)(1) of title 23, United States Code, is amended by striking “\$93,333,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$112,000,000 for fiscal year 2004”.

(b) PREVENTION OF INTOXICATED DRIVER INCENTIVE GRANTS.—Section 163(e)(1) of such title is amended by striking “\$100,000,000 for the period of October 1, 2003, through July 31, 2004” and inserting “\$110,000,000 for fiscal year 2004”.

SEC. 6. SPORT FISHING AND BOATING SAFETY.

(a) FUNDING FOR NATIONAL OUTREACH AND COMMUNICATIONS PROGRAM.—Section 4(c)(6) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c)(6)) is amended to read as follows:
“(6) \$10,000,000 for fiscal year 2004.”

(b) CLEAN VESSEL ACT FUNDING.—Section 4(b)(4) of such Act (16 U.S.C. 777c(b)(4)) is amended—

(1) in the paragraph heading by striking “FIRST 9 MONTHS OF”;

(2) in the matter preceding subparagraph (A)—

(A) by striking “the period of October 1, 2003, through July 31, 2004” and inserting “fiscal year 2004”; and

(B) by striking “\$68,333,332” and inserting “\$82,000,000”;

(3) in subparagraph (A) by striking “\$8,333,332” and inserting “\$10,000,000”; and

(4) in subparagraph (B) by striking “\$6,666,668” and inserting “\$8,000,000”.

(c) BOAT SAFETY FUNDS.—Section 13106(c) of title 46, United States Code, is amended—

(1) by striking “\$4,166,668” and inserting “\$5,000,000”; and

(2) by striking “\$1,666,668” and inserting “\$2,000,000”.

SEC. 7. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

(a) ALLOCATING AMOUNTS.—Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by striking “2003 and for the period of October 1, 2003, through July 31,”;

(B) in subparagraph (A) by striking “, except” and all that follows before the semicolon and inserting “, except for fiscal year 2004 during which \$1,206,506,000 will be available”;

(C) in subparagraph (B) by striking “, except” and all that follows before the semicolon and inserting “, except for fiscal year 2004 during which \$1,323,794,000 will be available”; and

(D) in subparagraph (C) by striking “, except” and all that follows before the period and inserting “, except for fiscal year 2004 during which \$607,200,000 will be available”;

(2) in paragraph (2)(B)—

(A) in clause (i) by striking “2003” and inserting “2004”; and

(B) by striking clause (iii);

(3) in paragraph (3)(B) by striking “2003 (and \$2,485,250 shall be available for the period October 1, 2003, through July 31, 2004)” and inserting “2004”; and

(4) in paragraph (3)(C)—

(A) by striking “1999 through 2003” and inserting “1999 through 2004”;

(B) by striking “\$41,420,833” and inserting “\$50,000,000”; and

(C) by striking “the period October 1, 2003, through July 31, 2004” and inserting “fiscal year 2004”.

(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.—Section 8(b)(1) of the Surface Transportation Extension Act of 2003 (49 U.S.C. 5337 note) is repealed.

(c) FORMULA GRANTS AUTHORIZATIONS.—Section 5338(a)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading by striking “2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31,”;

(2) by striking subparagraph (A)(vi) and inserting the following:

“(vi) \$3,071,200,000 for fiscal year 2004.”;

(3) by striking subparagraph (B)(vi) and inserting the following:

“(vi) \$767,800,000 for fiscal year 2004.”; and

(4) in subparagraph (C) by striking “a fiscal year (other than for the period of October 1, 2003, through July 31, 2004)” and inserting “each of fiscal years 1999 through 2003”.

(d) FORMULA GRANT FUNDS.—Section 8(d) of the Surface Transportation Extension Act of 2003 (118 Stat. 633; 118 Stat. 705) is amended to read as follows:

“(d) ALLOCATION OF FORMULA GRANT FUNDS FOR FISCAL YEAR 2004.—Of the aggregate of amounts made available by or appropriated under section 5338(a)(2) of title 49, United States Code, for fiscal year 2004—

“(1) \$4,849,950 shall be available to the Alaska Railroad for improvements to its passenger operations under section 5307 of such title;

“(2) \$50,000,000 shall be available for bus and bus facilities grants under section 5309 of such title;

“(3) \$90,652,801 shall be available to provide transportation services to elderly individuals and individuals with disabilities under section 5310 of such title;

“(4) \$240,607,643 shall be available to provide financial assistance for other than urbanized areas under section 5311 of such title;

“(5) \$6,950,000 shall be available to provide financial assistance in accordance with section 3038(g) of the Transportation Equity Act for the 21st Century; and

“(6) \$3,445,939,606 shall be available to provide financial assistance for urbanized areas under section 5307 of such title.”.

(e) CAPITAL PROGRAM AUTHORIZATIONS.—Section 5338(b)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading by striking “2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31,”;

(2) by striking subparagraph (A)(vi) and inserting the following:

“(vi) \$2,510,000,000 for fiscal year 2004.”; and

(3) by striking subparagraph (B)(vi) and inserting the following:

“(vi) \$627,500,000 for fiscal year 2004.”.

(f) PLANNING AUTHORIZATIONS AND ALLOCATIONS.—Section 5338(c)(2) of such title is amended—

(1) in the paragraph heading by striking “2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31,”;

(2) by striking subparagraph (A)(vi) and inserting the following:

“(vi) \$58,600,000 for fiscal year 2004.”;

(3) by striking subparagraph (B)(vi) and inserting the following:

“(vi) \$14,400,000 for fiscal year 2004.”; and

(4) in subparagraph (C) by striking “or any portion of a fiscal year”.

(g) RESEARCH AUTHORIZATIONS.—Section 5338(d)(2) of such title is amended—

(1) in the paragraph heading by striking “2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31,”;

(2) by striking subparagraph (A)(vi) and inserting the following:

“(vi) \$42,200,000 for fiscal year 2004.”;

(3) by striking subparagraph (B)(vi) and inserting the following:

“(vi) \$10,800,000 for fiscal year 2004.”; and

(4) in subparagraph (C) by striking “(other than for the period of October 1, 2003, through July 31, 2004)”.

(h) RESEARCH FUNDS.—Section 8(h) of the Surface Transportation Extension Act of 2003 (118 Stat. 635; 118 Stat. 706) is repealed.

(i) UNIVERSITY TRANSPORTATION RESEARCH AUTHORIZATIONS.—Section 5338(e)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading by striking “2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31,”;

(2) in subparagraph (A) by striking “2003 and \$3,976,400 for the period of October 1, 2003, through July 31,”;

(3) in subparagraph (B) by striking “2003 and \$994,100 for the period of October 1, 2003, through July 31,”; and

(4) in each of subparagraphs (C)(i) and (C)(iii) by striking “(other than for the period of October 1, 2003, through July 31, 2004)”.

(j) UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

(1) IN GENERAL.—Section 8(j) of the Surface Transportation Extension Act of 2003 (118 Stat. 635; 118 Stat. 706) is repealed.

(2) CONFORMING AMENDMENT.—Section 3015(d)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5338 note; 112 Stat. 857; 118 Stat. 487; 118 Stat. 636; 118 Stat. 707) is amended by striking “or 2003 and in the period October 31, 2003, through July 31, 2004” and inserting “, 2003, or 2004”.

(k) ADMINISTRATION AUTHORIZATIONS.—Section 5338(f)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading by striking “2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31,”;

(2) by striking subparagraph (A)(vi) and inserting the following:

“(vi) \$60,400,000 for fiscal year 2004.”; and

(3) by striking subparagraph (B)(vi) and inserting the following:

“(vi) \$15,100,000 for fiscal year 2004.”.

(l) JOB ACCESS AND REVERSE COMMUTE PROGRAM.—Section 3037(l) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note) is amended—

(1) by striking paragraph (1)(A)(vi) and inserting the following:

“(vi) \$100,000,000 for fiscal year 2004.”;

(2) by striking paragraph (1)(B)(vi) and inserting the following:

“(vi) \$25,000,000 for fiscal year 2004.”;

(3) in paragraph (2) by striking “; except that” and all that follows before the period at the end; and

(4) in paragraph (4) by striking “\$16,568,333” and inserting “\$20,000,000”.

(m) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038(g) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note) is amended—

(1) by striking paragraph (1)(F) and inserting after paragraph (1)(E) the following:

“(F) \$5,250,000 for fiscal year 2004.”; and

(2) in paragraph (2) by striking “\$6,800,000” and all that follows through “July 31, 2004” and inserting “\$1,700,000 shall be available for each of fiscal years 2000 through 2004”.

(n) URBANIZED AREA FORMULA GRANTS.—Section 5307(b)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading by striking “FISCAL YEAR 2003 AND FOR THE PERIOD OF OCTOBER 1, 2003, THROUGH JULY 31, 2004” and inserting “FISCAL YEARS 2003 AND 2004”; and

(2) in subparagraph (A) by striking “fiscal year 2003, and for the period of October 1, 2003, through July 31, 2004” and inserting “fiscal years 2003 and 2004”.

(o) OBLIGATION CEILING.—Section 3040 of the Transportation Equity Act for the 21st Century (112 Stat. 394; 118 Stat. 637; 118 Stat. 708) is amended by striking paragraph (6) and inserting the following:

“(6) \$7,309,000,000 in fiscal year 2004.”.

(p) FUEL CELL BUS AND BUS FACILITIES PROGRAM.—Section 3015(b) of the Transportation Equity Act for the 21st Century (112 Stat. 361; 118 Stat. 637; 118 Stat. 708) is amended by striking “(or, in the case of the period of October 1, 2003, through July 31, 2004 \$4,017,821)”.

(q) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015(c)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 322 note; 118 Stat. 637; 118 Stat. 708) is amended by striking “2003, and for the period of October 1, 2003, through July 31, 2004 \$5,000,000 per fiscal year and \$4,142,083 for such period” and inserting “2004, \$5,000,000 per fiscal year”.

23 USC 322 note.

(r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING SYSTEMS.—Section 3030 of the Transportation Equity Act for the 21st Century (112 Stat. 373; 118 Stat. 637; 118 Stat. 708) is amended—

(1) by striking “2003 and for the period of October 1, 2003, through July 31, 2004,” each place it appears and inserting “2004”; and

(2) in subsection (d)(3) by redesignating the second subparagraph (D), relating to the Memphis-Shelby International Airport intermodal facility, as subparagraph (H) and aligning the margin of such subparagraph with subparagraph (G).

(s) NEW JERSEY URBAN CORE PROJECT.—Section 3031(a)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122; 112 Stat. 379; 117 Stat. 1126; 118 Stat. 489; 118 Stat. 637; 118 Stat. 708) is amended by striking “2003, and for the period of October 1, 2003, through July 31,” each place it appears.

(t) TREATMENT OF FUNDS.—Section 8(t) of the Surface Transportation Extension Act of 2003 (23 U.S.C. 101 note; 118 Stat. 637; 118 Stat. 708) is amended—

(1) in paragraph (1) by striking “, and by section 7 of the Surface Transportation Extension Act of 2004, Part III”

and inserting “by section 7 of the Surface Transportation Extension Act of 2004, Part III, and by section 7 of the Surface Transportation Extension Act of 2004, Part IV”; and

(2) in paragraph (2) by striking “, except that” and all that follows before the period at the end.

(u) LOCAL SHARE.—Section 3011(a) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note; 118 Stat. 637; 118 Stat. 708) is amended by striking “2003, and for the period of October 1, 2003 through July 31,”.

SEC. 8. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAMS.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2009(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 337; 117 Stat. 1119; 118 Stat. 489; 118 Stat. 637; 118 Stat. 709) is amended by striking “\$136,688,750 for the period of October 1, 2003, through July 31, 2004” and inserting “\$165,000,000 for fiscal year 2004”.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2009(a)(2) of such Act (112 Stat. 337; 117 Stat. 1119; 118 Stat. 489; 118 Stat. 637; 118 Stat. 709) is amended by striking “2003 and \$59,646,000 for the period of October 1, 2003, through July 31,”.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2009(a)(3) of such Act (112 Stat. 337; 117 Stat. 1120; 118 Stat. 489; 118 Stat. 638; 118 Stat. 709) is amended by striking “\$16,568,333 for the period of October 1, 2003, through July 31, 2004” and inserting “\$20,000,000 for fiscal year 2004”.

(d) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of such Act (112 Stat. 337; 117 Stat. 1120; 118 Stat. 489; 118 Stat. 638; 118 Stat. 709) is amended by striking “\$33,136,667 for the period of October 1, 2003, through July 31, 2004” and inserting “\$40,000,000 for fiscal year 2004”.

(e) NATIONAL DRIVER REGISTER.—Section 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120; 118 Stat. 638; 118 Stat. 709) is amended by striking “\$2,982,300 for the period of October 1, 2003, through July 31, 2004” and inserting “\$3,600,000 for fiscal year 2004”.

SEC. 9. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAM.

(a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of the Surface Transportation Extension Act of 2003 (117 Stat. 1120; 118 Stat. 490; 118 Stat. 638; 118 Stat. 709) is amended by striking “\$146,725,000 for the period October 1, 2003, through July 31, 2004” and inserting “\$176,070,000 for fiscal year 2004”.

(b) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31104(a)(7) of title 49, United States Code, is amended to read as follows:

“(7) Not more than \$169,000,000 for fiscal year 2004.”.

(c) INFORMATION SYSTEMS AND COMMERCIAL DRIVER’S LICENSE GRANTS.—

(1) AUTHORIZATION OF APPROPRIATION.—Section 31107(a)(5) of such title is amended to read as follows:

“(5) \$20,000,000 for the fiscal year 2004.”.

(2) EMERGENCY CDL GRANTS.—Section 7(c)(2) of the Surface Transportation Extension Act of 2003 (117 Stat. 1121; 118 Stat. 490; 118 Stat. 638; 118 Stat. 709) is amended—

(A) by striking “the period of October 1, 2003 through June 30,” and inserting “fiscal year”; and

(B) by striking “\$833,333” and inserting “\$1,000,000”.

(d) CRASH CAUSATION STUDY.—Section 7(d) of such Act (117 Stat. 1121; 118 Stat. 490; 118 Stat. 638) is amended—

(1) by striking “\$833,333” and inserting “\$1,000,000”; and

(2) by striking “the period of October 1, 2003 through July 31,” and inserting “fiscal year”.

SEC. 10. EXTENSION OF AUTHORIZATION FOR USE OF TRUST FUNDS FOR OBLIGATIONS UNDER TEA-21.

(a) HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

26 USC 9503.

(A) in the matter before subparagraph (A), by striking “August 1, 2004” and inserting “October 1, 2004”,

(B) by striking “or” at the end of subparagraph (H),

(C) by striking the period at the end of subparagraph (I) and inserting “, or”,

(D) by inserting after subparagraph (I) the following new subparagraph:

“(J) authorized to be paid out of the Highway Trust Fund under the Surface Transportation Extension Act of 2004, Part IV.”, and

(E) in the matter after subparagraph (J), as added by this paragraph, by striking “Surface Transportation Extension Act of 2004, Part III” and inserting “Surface Transportation Extension Act of 2004, Part IV”.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) in the matter before subparagraph (A), by striking “August 1, 2004” and inserting “October 1, 2004”,

(B) in subparagraph (F), by striking “or” at the end of such subparagraph,

(C) in subparagraph (G), by inserting “or” at the end of such subparagraph,

(D) by inserting after subparagraph (G) the following new subparagraph:

“(H) the Surface Transportation Extension Act of 2004, Part IV.”, and

(E) in the matter after subparagraph (H), as added by this paragraph, by striking “Surface Transportation Extension Act of 2004, Part III” and inserting “Surface Transportation Extension Act of 2004, Part IV”.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(5) of such Code is amended by striking “August 1, 2004” and inserting “October 1, 2004”.

(4) SPECIAL RULE FOR CORE HIGHWAY PROGRAMS.—

(A) IN GENERAL.—In the case of a core highway program, subsections (b)(5) and (c)(1) of section 9503 of such Code shall be applied by substituting “September 25, 2004” for “October 1, 2004”.

26 USC 9503
note.
Applicability.

(B) CORE HIGHWAY PROGRAM.—For purposes of subparagraph (A), the term “core highway program” means any program (other than any program carried out by the National Highway Traffic Safety Administration and any

program carried out by the Federal Motor Carrier Administration) funded from the Highway Trust Fund (other than the Mass Transit Account).

(b) AQUATIC RESOURCES TRUST FUND.—

26 USC 9504.

(1) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended by striking “Surface Transportation Extension Act of 2004, Part III” each place it appears and inserting “Surface Transportation Extension Act of 2004, Part IV”.

(2) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of such Code is amended—

(A) by striking “August 1, 2004” and inserting “October 1, 2004”, and

(B) by striking “Surface Transportation Extension Act of 2004, Part III” and inserting “Surface Transportation Extension Act of 2004, Part IV”.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking “August 1, 2004” and inserting “October 1, 2004”.

26 USC 9503
note.

Effective date.
Termination
date.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(d) TEMPORARY RULE REGARDING ADJUSTMENTS.—During the period beginning on the date of the enactment of the Surface Transportation Extension Act of 2003 and ending on September 30, 2004, for purposes of making any estimate under section 9503(d) of the Internal Revenue Code of 1986 of receipts of the Highway Trust Fund, the Secretary of the Treasury shall treat—

(1) each expiring provision of paragraphs (1) through (4) of section 9503(b) of such Code which is related to appropriations or transfers to such Fund to have been extended through the end of the 24-month period referred to in section 9503(d)(1)(B) of such Code, and

(2) with respect to each tax imposed under the sections referred to in section 9503(b)(1) of such Code, the rate of such tax during the 24-month period referred to in section 9503(d)(1)(B) of such Code to be the same as the rate of such tax as in effect on the date of the enactment of the Surface Transportation Extension Act of 2003.

Approved July 30, 2004.

LEGISLATIVE HISTORY—H.R. 4916:

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 22, considered and passed House and Senate.

