

112TH CONGRESS  
1ST SESSION

# H. R. 2107

To amend title 23, United States Code, to improve the safety of high risk rural roads, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2011

Mr. MICHAUD (for himself and Mr. STARK) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 23, United States Code, to improve the safety of high risk rural roads, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “High Risk Rural Roads  
5        Safety Act of 2011”.

6        **SEC. 2. HIGH RISK RURAL ROADS SAFETY PROGRAM.**

7        Title 23, United States Code, is amended by inserting  
8        after section 149 the following:

1 **“§ 150. High risk rural roads safety program**

2 “(a) IN GENERAL.—The Secretary shall carry out a  
3 program to improve the safety of high risk rural roads  
4 in accordance with this section.

5 “(b) HIGH RISK RURAL ROAD PROJECTS.—Funds  
6 apportioned to a State under this section may be used for  
7 any of the following projects and activities to improve the  
8 safety of a high risk rural road:

9 “(1) A road safety audit.

10 “(2) An intersection safety improvement.

11 “(3) Installation of rumble strips or another  
12 warning device, if the rumble strips or other warning  
13 devices do not adversely affect the safety or mobility  
14 of bicyclists, pedestrians, and the disabled.

15 “(4) An improvement for pedestrian or bicyclist  
16 safety or safety of the disabled.

17 “(5) Construction of a railway-highway crossing  
18 safety feature, including installation of protective de-  
19 vices.

20 “(6) Construction of a traffic calming feature.

21 “(7) Improvement of highway signage and  
22 pavement markings, including to meet minimum lev-  
23 els of retroreflectivity established by the Department  
24 of Transportation.

25 “(8) Installation of a priority control system for  
26 emergency vehicles at signalized intersections.

1           “(9) Installation of a traffic control or other  
2 warning device at a location with high accident po-  
3 tential.

4           “(10) Installation of guardrails, barriers (in-  
5 cluding barriers between construction work zones  
6 and traffic lanes for the safety of motorists and  
7 workers), and crash attenuators.

8           “(11) The addition or retrofitting of structures  
9 or other measures to eliminate or reduce accidents  
10 involving vehicles and wildlife.

11           “(12) Installation and maintenance of signs (in-  
12 cluding fluorescent, yellow-green signs) at pedes-  
13 trian-bicycle crossings and in school zones.

14           “(13) Installation of a skid-resistant surface at  
15 an intersection or other location with a high fre-  
16 quency of accidents.

17           “(14) Improvement of an edge drop-off that is  
18 greater than 4 inches.

19           “(15) Spot pavement and shoulder widening.

20           “(16) Elimination of a roadside obstacle.

21           “(17) Systemic improvements focusing on low-  
22 cost safety infrastructure investments.

23           “(18) Traffic enforcement or other activities re-  
24 lating to work zone safety.

1       “(c) APPORTIONMENT OF FUNDS.—On October 1 of  
2 each fiscal year, the Secretary shall apportion the sums  
3 authorized to be appropriated to carry out this section for  
4 such fiscal year among the States in accordance with the  
5 following:

6               “(1) 25 percent in the ratio that—

7                       “(A) the total rural major collector lane  
8 miles in each State; bears to

9                       “(B) the total rural major collector lane  
10 miles in all States.

11               “(2) 25 percent in the ratio that—

12                       “(A) the total rural minor collector lane  
13 miles in each State; bears to

14                       “(B) the total rural minor collector lane  
15 miles in all States.

16               “(3) 25 percent in the ratio that—

17                       “(A) the total rural local road lane miles  
18 in each State; bears to

19                       “(B) the total rural local road lane miles  
20 in all States.

21               “(4) 25 percent in the ratio that—

22                       “(A) the total number of fatalities, in the  
23 most recent fiscal year for which data is avail-  
24 able, on rural major collector, rural minor col-

1           lector, and rural local roads in each State;  
2           bears to

3                   “(B) the total number of fatalities, in the  
4           most recent fiscal year for which data is avail-  
5           able, on rural major collector, rural minor col-  
6           lector, and rural local roads in all States.

7           “(d) FEDERAL SHARE.—The Federal share of the  
8           cost of a high risk rural road project carried out with  
9           funds apportioned to a State under this section shall be  
10          90 percent.

11          “(e) ROAD ASSESSMENT PROGRAMS.—Notwith-  
12          standing subsection (b), a State may use not more than  
13          1.25 percent or \$100,000 of the funds apportioned to the  
14          State under this section in a fiscal year, whichever is  
15          greater, for a road assessment program, under which any  
16          of the following may be carried out to improve the safety  
17          of a high risk rural road:

18                   “(1) Risk mapping to document the safety per-  
19                  formance of a road.

20                   “(2) Documenting the risk of death or serious  
21                  injury from an accident with respect to a road, in-  
22                  cluding specifying the locations where that risk is  
23                  high or low.

24                   “(3) Monitoring changes in the safety perform-  
25                  ance of a road segment over time and determining

1       how those changes relate to safety improvement ac-  
2       tivities.

3           “(4) Examining the effectiveness of road infra-  
4       structure improvements with respect to protecting  
5       road users from accidents, including accidents that  
6       result in death or serious injury.

7           “(5) Identifying roads eligible to be assisted  
8       under subsection (b).

9           “(6) Identifying cost-effective improvements for  
10      a specific road segment.

11      “(f) REPORTS.—The Secretary shall submit annually  
12      to the Committee on Environment and Public Works of  
13      the Senate and the Committee on Transportation and In-  
14      frastructure of the House of Representatives a report de-  
15      scribing progress made in reducing the number of fatali-  
16      ties and incapacitating injuries on each of the high risk  
17      rural roads with respect to which a project was carried  
18      out under this section.

19      “(g) HIGH RISK RURAL ROAD DEFINED.—In this  
20      section, the term ‘high risk rural road’ means any roadway  
21      functionally classified as a rural major or minor collector  
22      or a rural local road—

23           “(1) with respect to which there is a significant  
24      likelihood of accidents resulting in fatalities or inca-  
25      pacitating injuries; or

1           “(2) with respect to which there is a physical  
2           condition that presents to users of the roadway an  
3           increased risk of an accident, including an accident  
4           resulting in a serious injury.

5           “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
6           is authorized to be appropriated out of the Highway Trust  
7           Fund (other than the Mass Transit Account) to carry out  
8           this section \$400,000,000 for each of fiscal years 2012  
9           through 2017. Funds made available to carry out this sec-  
10          tion shall not be transferrable and shall remain available  
11          until expended.”.

12          **SEC. 3. CONFORMING AMENDMENTS.**

13          Section 148 of title 23, United States Code, is  
14          amended—

15                 (1) by striking subsection (f); and

16                 (2) by redesignating subsections (g) and (h) as  
17          subsections (f) and (g), respectively.

18          **SEC. 4. CLERICAL AMENDMENT.**

19          The analysis for chapter 1 of title 23, United States  
20          Code, is amended by inserting after the item relating to  
21          section 149 the following:

          “150. High risk rural roads safety program.”.

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