

112TH CONGRESS  
1ST SESSION

# H. R. 3022

To amend title 49, United States Code, to allow urbanized area formula grants for public transportation projects to be used for operating costs in urbanized areas with a population of at least 200,000, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2011

Mr. CARSON of Indiana introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to allow urbanized area formula grants for public transportation projects to be used for operating costs in urbanized areas with a population of at least 200,000, 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 “Protecting Transit  
5 Through Increased Flexibility Act of 2011”.

6 **SEC. 2. URBANIZED AREA FORMULA GRANTS.**

7 Section 5307(b) of title 49, United States Code, is  
8 amended—

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

3 “(E) operating costs of equipment and fa-  
4 cilities for use in public transportation in an ur-  
5 banized area with a population of at least  
6 200,000, if—

7 “(i) the term of the grant does not ex-  
8 ceed one year; and

9 “(ii) the funds are derived from  
10 grants awarded under subparagraph (A),  
11 (B), or (C) pursuant to a request approved  
12 by the Secretary under paragraph (4);  
13 and”;

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

15 “(4) USE OF GRANTS FOR OPERATING ASSIST-  
16 ANCE IN URBANIZED AREAS WITH A POPULATION OF  
17 AT LEAST 200,000.—

18 “(A) SUBMISSION OF REQUESTS.—A re-  
19 cipient of a grant under paragraph (1)(A),  
20 (1)(B), or (1)(C) for an urbanized area with a  
21 population of at least 200,000 may submit a re-  
22 quest to the Secretary that all or any portion  
23 of the amounts of the grant be made available  
24 for operating costs under paragraph (1)(E).

1           “(B) INFORMATION TO BE INCLUDED IN  
2 REQUESTS.—A request submitted by a recipient  
3 under subparagraph (A) shall include—

4           “(i) documentation illustrating re-  
5 duced tax revenue or appropriations of  
6 funds available to the recipient over the  
7 previous year;

8           “(ii) documentation of increased fuel  
9 costs or any other factor affecting the  
10 budget of the recipient for operating costs;  
11 and

12           “(iii) a certification that the amount  
13 requested under subparagraph (A) does  
14 not exceed the reductions in tax revenues  
15 and appropriations of funds documented  
16 under clause (i).

17           “(C) APPROVAL AND DISAPPROVAL OF RE-  
18 QUESTS.—The Secretary shall approve or dis-  
19 approve a request submitted under subpara-  
20 graph (A) based on—

21           “(i) the impact of approval or dis-  
22 approval on the continuity and cost of  
23 service provided by the recipient;

24           “(ii) the impact of approval or dis-  
25 approval on the ability of the recipient to

1 meet goals established under sections  
2 5303, 5304, and 5306; and

3 “(iii) an assessment of the informa-  
4 tion submitted under subparagraph (B).

5 “(D) DEADLINE FOR CONSIDERATION OF  
6 REQUESTS.—If the Secretary does not approve  
7 or disapprove a request submitted under sub-  
8 paragraph (A) on or before the 60th day fol-  
9 lowing the date of receipt of the request, the re-  
10 quest shall be deemed approved.”.

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