

112TH CONGRESS
1ST SESSION

H. R. 3294

To amend title 23, United States Code, to provide funding flexibility for transportation emergencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2011

Mr. BUCSHON (for himself, Mr. FARENTHOLD, and Mr. PENCE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to provide funding flexibility for transportation emergencies, 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 “State Transportation
5 Emergency Flexibility Act of 2011”.

1 **SEC. 2. FUNDING FLEXIBILITY FOR TRANSPORTATION**
2 **EMERGENCIES.**

3 (a) IN GENERAL.—Chapter 3 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 330. Funding flexibility for transportation emer-**
7 **gencies**

8 “(a) IN GENERAL.—Notwithstanding any other pro-
9 vision of law, the chief executive of a State, after declaring
10 an emergency with respect to a transportation facility
11 under subsection (b), may use any covered funds of the
12 State to repair or replace the transportation facility.

13 “(b) DECLARATION OF EMERGENCY.—To declare an
14 emergency with respect to a transportation facility for
15 purposes of subsection (a), the chief executive of a State
16 shall provide to the Secretary written notice of the declara-
17 tion, which shall specify—

18 “(1) the emergency;

19 “(2) the affected transportation facility; and

20 “(3) the repair or replacement activities to be
21 carried out.

22 “(c) DEFINITIONS.—In this section, the following
23 definitions apply:

24 “(1) COVERED FUNDS.—The term ‘covered
25 funds’ means any amounts apportioned to a State
26 under this title or section 1303 or 1404 of

1 SAFETEA-LU (23 U.S.C. 101 note; 402 note), in-
2 cluding any such amounts required to be set aside
3 for a purpose other than the repair or replacement
4 of a transportation facility under this section.

5 “(2) EMERGENCY.—The term ‘emergency’
6 means any event or condition that—

7 “(A) affects a transportation facility; and

8 “(B) is determined to be an emergency by
9 the chief executive of a State.

10 “(3) TRANSPORTATION FACILITY.—The term
11 ‘transportation facility’ means any component of the
12 National Highway System.”.

13 (b) CLERICAL AMENDMENT.—The analysis for such
14 chapter is amended by adding at the end the following:

“330. Funding flexibility for transportation emergencies.”.

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