

112TH CONGRESS  
1ST SESSION

# H. R. 792

To clarify the existing authority of, and as necessary provide express authorization for, public authorities to offer discounts in transportation tolls to captive tollpayers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2011

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

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## A BILL

To clarify the existing authority of, and as necessary provide express authorization for, public authorities to offer discounts in transportation tolls to captive tollpayers, 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 “Residential and Com-  
5        muter Toll Fairness Act of 2011”.

6        **SEC. 2. FINDINGS.**

7        Congress finds the following:

1           (1) Residents of, and regular commuters to,  
2           certain localities in the United States are subject to  
3           a transportation toll when using a transportation fa-  
4           cility to access or depart the locality.

5           (2) Revenue generated from these tolls is some-  
6           times used to support infrastructure maintenance  
7           and capital improvement projects that benefit not  
8           only the users of these transportation facilities, but  
9           the regional and national economy as well.

10          (3) Certain localities in the United States are  
11          situated on islands, peninsulas, or other areas in  
12          which transportation access is substantially con-  
13          strained by geography, sometimes leaving residents  
14          of, or regular commuters to, these localities with no  
15          reasonable means of accessing or departing their  
16          neighborhood or place of employment without paying  
17          a transportation toll.

18          (4) Residents of, or regular commuters to, these  
19          localities often pay far more for transportation ac-  
20          cess than residents of, and commuters to, other  
21          areas for similar transportation options, and these  
22          increased transportation costs can impose a signifi-  
23          cant and unfair burden on these residents and com-  
24          muters.

1           (5) To address this inequality, and to reduce  
2           the financial hardship often imposed on captive  
3           tollpayers, several public authorities have developed  
4           and implemented programs to provide discounts in  
5           transportation tolls.

6 **SEC. 3. PURPOSE.**

7           The purpose of this Act is to clarify the existing au-  
8           thority of, and as necessary provide express authorization  
9           for, public authorities to offer discounts in transportation  
10          tolls to captive tollpayers.

11 **SEC. 4. TRANSPORTATION TOLLS.**

12          (a) **AUTHORITY TO PROVIDE DISCOUNTS.**—A public  
13          authority is authorized to carry out a program that offers  
14          discounts in transportation tolls to captive tollpayers.

15          (b) **LIMITATIONS ON STATUTORY CONSTRUCTION.**—  
16          Nothing in this Act may be construed to—

17                (1) limit any other authority of a public author-  
18                ity, including the authority to offer discounts in  
19                transportation tolls to other tollpayers; or

20                (2) affect, alter, or limit the applicability of a  
21                State or local law with respect to the authority of a  
22                public authority to impose toll discounts.

23 **SEC. 5. DEFINITIONS.**

24          In this Act, the following definitions apply:

1           (1) CAPTIVE TOLLPAYER.—The term “captive  
2 tollpayer” means an individual who—

3           (A) is a resident of, or regular commuter  
4 to, a locality in the United States that is situ-  
5 ated on an island, peninsula, or other area  
6 where transportation access is substantially  
7 constrained by geography; and

8           (B) is subject to a transportation toll when  
9 using a transportation facility to access or de-  
10 part the locality.

11          (2) PUBLIC AUTHORITY.—The term “public au-  
12 thority” has the meaning given that term by section  
13 101 of title 23, United States Code.

14          (3) TRANSPORTATION FACILITY.—The term  
15 “transportation facility” includes a road, highway,  
16 bridge, rail, bus, or ferry facility.

17          (4) TRANSPORTATION TOLL.—The term “trans-  
18 portation toll” means a toll or fare required for use  
19 of a transportation facility.

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