

112TH CONGRESS
1ST SESSION

S. 190

To amend title 23, United States Code, to prohibit the imposition of new tolls on the Federal-aid system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2011

Mrs. HUTCHISON introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to prohibit the imposition of new tolls on the Federal-aid system, 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 “Freedom from Tolls
5 Act of 2011”.

6 **SEC. 2. IMPOSITION OF NEW TOLLS ON FEDERAL-AID SYS-**
7 **TEM.**

8 (a) IN GENERAL.—Section 129 of title 23, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 “(d) EXCEPTION FOR EXISTING HIGHWAY SEG-
2 MENTS.—

3 “(1) IN GENERAL.—Except as provided in para-
4 graph (2), none of the funds made available to carry
5 out this title shall be used to approve or otherwise
6 authorize the imposition of any toll on any segment
7 of highway located on the Federal-aid system—

8 “(A) the construction of which has been
9 completed as of the date of enactment of this
10 subsection;

11 “(B) that, as of the date of enactment of
12 this subsection, is not tolled;

13 “(C) that was constructed with Federal as-
14 sistance provided under this title; and

15 “(D) that is in actual operation as of the
16 date of enactment of this subsection.

17 “(2) EXCEPTIONS.—

18 “(A) NUMBER OF TOLL LANES.—Para-
19 graph (1) shall not apply to any segment of
20 highway on the Federal-aid system described in
21 that paragraph that, as of the date on which a
22 toll is imposed on the segment, will have the
23 same number of non-toll lanes as were in exist-
24 ence prior to that date.

1 “(B) HIGH-OCCUPANCY VEHICLE LANES.—
 2 A high-occupancy vehicle lane that is converted
 3 to a toll lane shall not be subject to this sub-
 4 section, and shall not be considered to be a non-
 5 toll lane for purposes of determining whether a
 6 highway will have fewer non-toll lanes than
 7 prior to the date of imposition of the toll, if—

8 “(i) high-occupancy vehicles occupied
 9 by the number of passengers specified by
 10 the entity operating the toll lane may use
 11 the toll lane without paying a toll, unless
 12 otherwise specified by the appropriate
 13 county, town, municipal or other local gov-
 14 ernment entity, or public toll road or tran-
 15 sit authority; or

16 “(ii) each high-occupancy vehicle lane
 17 that was converted to a toll lane was con-
 18 structed as a temporary lane to be replaced
 19 by a toll lane under a plan approved by the
 20 appropriate county, town, municipal or
 21 other local government entity, or public toll
 22 road or transit authority.”.

23 (b) INTERSTATE SYSTEM RECONSTRUCTION AND RE-
 24 HABILITATION PILOT PROGRAM.—Section 1216(b)(2) of
 25 the Transportation Equity Act for the 21st Century (23

- 1 U.S.C. 129 note; 112 Stat. 212) is amended by striking
- 2 “3 facilities” and inserting “2 facilities”.

