

112TH CONGRESS  
1ST SESSION

# S. 909

To amend title 49, United States Code, to permit certain revenues of private providers of public transportation by vanpool received from providing public transportation to be used for the purpose of acquiring rolling stock, and to permit certain expenditures of private vanpool contractors to be credited toward the local matching share of the costs of public transportation projects, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 5, 2011

Ms. MURKOWSKI (for herself and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend title 49, United States Code, to permit certain revenues of private providers of public transportation by vanpool received from providing public transportation to be used for the purpose of acquiring rolling stock, and to permit certain expenditures of private vanpool contractors to be credited toward the local matching share of the costs of public transportation projects, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Private Investment in  
3 Commuter Vanpooling Act of 2011”.

4 **SEC. 2. GOVERNMENT’S SHARE OF COSTS FOR PUBLIC**  
5 **TRANSPORTATION PROJECTS.**

6 Section 5323 of title 49, United States Code, is  
7 amended by adding at the end the following:

8 “(q) COSTS INCURRED BY PRIVATE PROVIDERS OF  
9 PUBLIC TRANSPORTATION BY VANPOOL.—

10 “(1) DEFINITIONS.—In this subsection, the fol-  
11 lowing definitions shall apply:

12 “(A) PRIVATE PROVIDER OF PUBLIC  
13 TRANSPORTATION BY VANPOOL.—The term  
14 ‘private provider of public transportation by  
15 vanpool’ means a private entity that—

16 “(i) provides vanpool services in the  
17 service area of a recipient of assistance  
18 under this chapter using a commuter high-  
19 way vehicle or vanpool vehicle; and

20 “(ii) has entered into a service agree-  
21 ment with a recipient of assistance under  
22 this chapter.

23 “(B) COMMUTER HIGHWAY VEHICLE OR  
24 VANPOOL VEHICLE.—The term ‘commuter high-  
25 way vehicle or vanpool vehicle’ means any vehi-  
26 cle—

1           “(i) the seating capacity of which is  
2           not fewer than 6 adults (not including the  
3           driver); and

4           “(ii) not less than 80 percent of the  
5           mileage use of which is reasonably ex-  
6           pected to be for the purpose of trans-  
7           porting commuters in connection with trav-  
8           el between their residences and their place  
9           of employment.

10           “(2) LOCAL MATCHING SHARE.—The non-Fed-  
11           eral share of the cost of a capital project under this  
12           chapter may include an amount equal to—

13           “(A) any amount expended by a private  
14           provider of public transportation by vanpool for  
15           the acquisition of rolling stock to be used by the  
16           private provider of public transportation by  
17           vanpool in the service area of the recipient; less

18           “(B) any amount the private provider of  
19           public transportation by vanpool has received  
20           from the Federal Government or a State or  
21           local government for the acquisition of the roll-  
22           ing stock.

23           “(3) USE OF REVENUES.—A private provider of  
24           public transportation by vanpool may use revenues  
25           received from providing public transportation service

1 in the service area of a recipient of assistance under  
2 this chapter that are in excess of the operating costs  
3 of the private provider of public transportation by  
4 vanpool for the purpose of acquiring rolling stock, if  
5 the private provider of public transportation by van-  
6 pool enters into a legally binding agreement with the  
7 recipient that requires the private provider of public  
8 transportation by vanpool to use the rolling stock in  
9 the service area of the recipient.”

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