

117TH CONGRESS  
1ST SESSION

# S. 1659

To require the Secretary of Transportation to carry out a highway cost allocation study, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 17, 2021

Ms. LUMMIS (for herself and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To require the Secretary of Transportation to carry out a highway cost allocation study, 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 “Highway Cost Alloca-  
5       tion Study Act of 2021”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) the Highway Trust Fund was designed to  
9       be self-sustaining by relying on user fees from mo-  
10      torists on the roadways;

1           (2) however, since 2008, the Highway Trust  
2       Fund has experienced a revenue shortfall;

3           (3) Congress has relied on transfers from the  
4       general fund of the Treasury to supplement the  
5       Highway Trust Fund since that time, undermining  
6       the user fee model;

7           (4) the Department of Transportation last com-  
8       pleted a highway cost allocation study in 1997; and

9           (5) the information gained from an updated  
10      highway cost allocation study could allow Congress  
11      to equitably ensure the long-term solvency of the  
12      Highway Trust Fund.

13 **SEC. 3. HIGHWAY COST ALLOCATION STUDY.**

14       (a) IN GENERAL.—Not later than 4 years after the  
15      date of enactment of this Act, the Secretary of Transpor-  
16      tation (referred to in this section as the “Secretary”), in  
17      coordination with State departments of transportation,  
18      shall carry out a highway cost allocation study to deter-  
19      mine the direct costs of highway use by various types of  
20      users.

21       (b) INCLUSIONS.—The study under subsection (a)  
22      shall include an examination of—

23           (1) the Federal costs occasioned in the design,  
24      construction, rehabilitation, and maintenance of  
25      Federal-aid highways by—

1 (A) the use of vehicles of different dimen-  
2 sions, weights, number of axles, and other spec-  
3 ifications; and

4 (B) the frequency of those vehicles in the  
5 traffic stream; and

6 (2) the proportionate share of the costs de-  
7 scribed in paragraph (1) that are attributable to  
8 each class of highway users.

9 (c) REQUIREMENTS.—In carrying out the study  
10 under subsection (a), the Secretary shall—

11 (1) ensure that the study examines only direct  
12 Federal costs of highway use;

13 (2) capture the various driving conditions in  
14 different geographic areas of the United States; and

15 (3) to the maximum extent practicable, distin-  
16 guish between costs directly occasioned by a highway  
17 user class and costs occasioned by all highway user  
18 classes.

19 (d) REPORTS.—

20 (1) INTERIM REPORTS.—Not less frequently  
21 than annually during the period during which the  
22 Secretary is carrying out the study under subsection  
23 (a), the Secretary shall submit to Congress an in-  
24 terim report on the progress of the study.

1           (2) FINAL REPORT.—On completion of the  
2       study under subsection (a), the Secretary shall sub-  
3       mit to Congress a final report on the results of the  
4       study, including the recommendations under sub-  
5       section (e).

6       (e) RECOMMENDATIONS.—On completion of the  
7       study under subsection (a), the Secretary, in coordination  
8       with the Secretary of the Treasury, shall develop rec-  
9       ommendations for a set of revenue options to fully cover  
10      the costs occasioned by highway users, including rec-  
11      ommendations for—

12           (1) changes to existing revenue streams; and

13           (2) new revenue streams based on user fees.

14       (f) AUTHORIZATION OF APPROPRIATIONS.—There  
15      are authorized to be appropriated to carry out this section  
16      such sums as are necessary.

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