

117TH CONGRESS
2D SESSION

S. 4909

To increase authorizations for the passenger ferry competitive grant program and the ferry boats and terminal facilities formula grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2022

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

A BILL

To increase authorizations for the passenger ferry competitive grant program and the ferry boats and terminal facilities formula grant program, 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 “Ferry Service Expan-
5 sion Act”.

6 **SEC. 2. CONSTRUCTION OF FERRY BOATS AND FERRY TER-**
7 **MINAL FACILITIES.**

8 Section 147(h) of title 23, United States Code, is
9 amended—

1 (1) in paragraph (2), by striking
2 “\$112,000,000” and inserting “\$160,000,000”;

3 (2) in paragraph (3), by striking
4 “\$114,000,000” and inserting “\$160,000,000”;

5 (3) in paragraph (4), by striking
6 “\$116,000,000” and inserting “\$160,000,000”; and

7 (4) in paragraph (5), by striking
8 “\$118,000,000” and inserting “\$160,000,000”.

9 **SEC. 3. APPORTIONMENTS.**

10 Section 5336(h)(1) of title 49, United States Code,
11 is amended by striking “\$30,000,000” and inserting
12 “\$90,000,000”.

13 **SEC. 4. SURFACE TRANSPORTATION BLOCK GRANT PRO-**
14 **GRAM.**

15 (a) IN GENERAL.—Section 133(b)(1)(B)(i) of title
16 23, United States Code, is amended by inserting “, except
17 that for the purposes of this section, hovercraft and ter-
18 minal facilities for hovercraft engaging in water transit for
19 passengers or vehicles shall be considered to be ferry boats
20 and ferry terminal facilities under section 129(c)” after
21 “section 129(c)”.

22 (b) RULE OF CONSTRUCTION.—Any hovercraft fund-
23 ed using funds made available under section 133(b)(1) of
24 title 23, United States Code, shall be deemed to be a vessel

1 subject to chapters 121 and 551 of title 46, United States
2 Code.

3 **SEC. 5. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.**

4 (a) IN GENERAL.—Section 129(c)(5) of title 23,
5 United States Code, is amended—

6 (1) in the first sentence, by inserting “(includ-
7 ing between territories of the United States)” after
8 “adjoining States”; and

9 (2) in the second sentence, by inserting “oper-
10 ations between territories of the United States,”
11 after “United States,”.

12 (b) SUNSET.—Section 11117(b) of the Infrastructure
13 Investment and Jobs Act (23 U.S.C. 147 note; Public Law
14 117–58) is amended—

15 (1) by striking the subsection designation and
16 heading and all that follows through “section
17 147(b)” in paragraph (1) and inserting the fol-
18 lowing:

19 “(b) DIESEL FUEL FERRY VESSELS.—Notwith-
20 standing section 147(b) of title 23, United States Code”;
21 and

22 (2) by striking paragraph (2).

1 **SEC. 6. FERRY SERVICE FOR RURAL COMMUNITIES.**

2 Section 71103 of the Infrastructure Investment and
3 Jobs Act (23 U.S.C. 147 note; Public Law 117–58) is
4 amended—

5 (1) in subsection (a)—

6 (A) in paragraph (2)(B), by striking “lo-
7 cated more than 50 sailing miles apart”; and

8 (B) by striking paragraph (3) and insert-
9 ing the following:

10 “(3) RURAL AREA.—The term ‘rural area’
11 means an area that—

12 “(A) has not been designated by the Sec-
13 retary of Commerce in the most recent decen-
14 nial census as an urbanized area; or

15 “(B) has been designated by the Secretary
16 of Commerce in the most recent decennial cen-
17 sus as an urbanized area, but has populations
18 described in subparagraphs (H) and (I) of sec-
19 tion 343(a)(13) of the Consolidated Farm and
20 Rural Development Act (7 U.S.C. 1991(a)(13))
21 that if excluded would result in the area encom-
22 passing a population of less than 50,000.”;

23 (2) by redesignating subsections (f) and (g) as
24 subsections (g) and (h), respectively; and

25 (3) by inserting after subsection (e) the fol-
26 lowing:

1 “(f) GRANT REQUIREMENTS.—The requirements
 2 under sections 5323(j) and 5333 of title 49, United States
 3 Code, shall apply to grants under this section.”.

4 **SEC. 7. ELECTRIC OR LOW-EMITTING FERRY PILOT PRO-**
 5 **GRAM.**

6 Section 71102 of the Infrastructure Investment and
 7 Jobs Act (23 U.S.C. 147 note; Public Law 117–58) is
 8 amended—

9 (1) by redesignating subsection (d) as sub-
 10 section (e); and

11 (2) by inserting after subsection (c) the fol-
 12 lowing:

13 “(d) GRANT REQUIREMENTS.—The requirements
 14 under sections 5323(j) and 5333 of title 49, United States
 15 Code, shall apply to grants under this section.”.

16 **SEC. 8. TRANSIT INFRASTRUCTURE GRANTS.**

17 The matter under the heading “TRANSIT INFRA-
 18 STRUCTURE GRANTS” under the heading “FEDERAL
 19 TRANSIT ADMINISTRATION” under the heading “DE-
 20 PARTMENT OF TRANSPORTATION” in title VIII of
 21 division J of the Infrastructure Investment and Jobs Act
 22 (Public Law 117–58; 135 Stat. 1437) is amended—

23 (1) in the matter preceding paragraph (1)—

24 (A) by striking “\$10,250,000,000” and in-
 25 serting “\$11,500,000,000”; and

1 (B) by striking “\$2,050,000,000” each
 2 place it appears and inserting
 3 “\$2,300,000,000”;

4 (2) in paragraph (2), by striking “and” at the
 5 end;

6 (3) in paragraph (3) by striking the colon at
 7 the end and inserting “; and”; and

8 (4) by adding at the end the following:

9 “(4) \$1,250,000,000 shall be to carry out pas-
 10 senger ferry grants under section 5307(h) of title
 11 49, United States Code.”.

12 **SEC. 9. QUALIFIED VESSEL.**

13 (a) ELIGIBLE VESSEL.—Section 53501(2) of title 46,
 14 United States Code, is amended—

15 (1) in subparagraph (A)(iii), by striking “and”
 16 at the end;

17 (2) in subparagraph (B)(v), by striking the pe-
 18 riod at the end and inserting a semicolon; and

19 (3) by adding at the end the following:

20 “(C) a ferry, as such term is defined in
 21 section 2101; and

22 “(D) a passenger vessel or small passenger
 23 vessel, as such terms are defined in section
 24 2101.”.

1 (b) QUALIFIED VESSEL.—Section 53501(5) of title
2 46, United States Code, is amended—

3 (1) in subparagraph (A)(iii), by striking “and”
4 at the end;

5 (2) in subparagraph (B)(v), by striking the pe-
6 riod at the end and inserting a semicolon; and

7 (3) by adding at the end the following:

8 “(C) a ferry, as such term is defined in
9 section 2101; and

10 “(D) a passenger vessel or small passenger
11 vessel, as such terms are defined in section
12 2101.”.

13 **SEC. 10. ESTABLISHING A CAPITAL CONSTRUCTION FUND.**

14 Section 53503(b) of title 46, United States Code, is
15 amended by inserting “(including transportation on a
16 ferry, passenger vessel, or small passenger vessel, as such
17 terms are defined in section 2101)” after “short sea trans-
18 portation”.

19 **SEC. 11. TECHNICAL CORRECTIONS.**

20 Section 133 of title 23, United States Code, is
21 amended—

22 (1) in subsection (b)—

23 (A) in paragraph (7)—

24 (i) by striking “section 206” and in-
25 serting “section 206,”; and

1 (ii) by striking “trails,,” and inserting
2 “trails,”; and
3 (B) by redesignating paragraph (24) as
4 paragraph (4) and moving the paragraph so as
5 to appear after paragraph (3); and
6 (2) in subsection (k)(1)(B)(i), by striking
7 “14501” and inserting “section 14501”.

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