

117TH CONGRESS
2D SESSION

S. 5094

To amend title 49, United States Code, to authorize state of good repair grants to be used for public transportation resilience improvement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2022

Mrs. GILLIBRAND (for herself, Ms. WARREN, Mr. SANDERS, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to authorize state of good repair grants to be used for public transportation resilience improvement, 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 “Resilient Transit Act
5 of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 Section 5302 of title 49, United States Code, is
8 amended—

1 (1) by redesignating paragraphs (17) through
 2 (25) as paragraphs (18) through (26), respectively;
 3 and

4 (2) by inserting after paragraph (16) the fol-
 5 lowing:

6 “(17) RESILIENCE IMPROVEMENT.—The term
 7 ‘resilience improvement’ has the meaning given the
 8 term in section 176(a) of title 23.”.

9 **SEC. 3. STATE OF GOOD REPAIR GRANTS FOR PUBLIC**
 10 **TRANSPORTATION RESILIENCE IMPROVE-**
 11 **MENT.**

12 (a) IN GENERAL.—Section 5337 of title 49, United
 13 States Code, is amended by adding at the end the fol-
 14 lowing:

15 “(g) PUBLIC TRANSPORTATION RESILIENCE IM-
 16 PROVEMENT GRANTS.—

17 “(1) IN GENERAL.—The Secretary may make
 18 grants under this subsection to assist State and local
 19 government authorities in financing 1 or more eligi-
 20 ble activities described in paragraph (2).

21 “(2) ELIGIBLE ACTIVITIES.—

22 “(A) IN GENERAL.—A recipient of a grant
 23 under this subsection may use grant amounts
 24 for public transportation resilience improve-
 25 ments that increase the resilience of public

1 transportation systems from the impacts of
2 changing conditions, such as sea level rise,
3 flooding, wildfires, extreme weather events, and
4 other natural disasters.

5 “(B) INCLUSIONS.—Activities eligible to be
6 carried out using grant amounts under this
7 subsection include—

8 “(i) the installation of mitigation
9 measures that prevent the intrusion of
10 floodwaters;

11 “(ii) the installation of equipment to
12 detect the occurrence of a flood event;

13 “(iii) the replacement of equipment or
14 facilities that are currently prone to flood
15 events or will be in the future;

16 “(iv) the purchase of new equipment
17 to support regular maintenance of drain-
18 age and pumping infrastructure;

19 “(v) the replacement of equipment
20 stressed during extreme temperature
21 events;

22 “(vi) the installation of equipment to
23 regulate temperatures and sensors to mon-
24 itor extreme temperatures;

1 “(vii) the development of backup sys-
 2 tems to provide redundancy during the
 3 outage of a primary power source;

4 “(viii) the assessment of system
 5 vulnerabilities to current and future weath-
 6 er events, natural disasters, and changing
 7 conditions, including sea level rise;

8 “(ix) the planning of system improve-
 9 ments and emergency response strategies
 10 to address identified vulnerabilities; and

11 “(x) any other activity for resilience
 12 improvement, as determined by the Sec-
 13 retary.

14 “(3) TYPES OF PROJECTS.—Grants under this
 15 subsection may be used to finance—

16 “(A) standalone projects; and

17 “(B) components of projects carried out
 18 under subsection (b)(1).

19 “(4) PUBLIC TRANSPORTATION RESILIENCE IM-
 20 PROVEMENT FORMULA.—Of the amounts made
 21 available under section 5338(a)(2)(L) to carry out
 22 this subsection—

23 “(A) 97.15 percent shall be apportioned to
 24 recipients in accordance with subsection (c);
 25 and

1 “(B) 2.85 percent shall be apportioned to
2 recipients in accordance with subsection (d).”.

3 (b) CONFORMING AMENDMENTS.—Section 5337 of
4 title 49, United States Code, is amended by striking “sec-
5 tion 5338(a)(2)(K)” each place it appears and inserting
6 “section 5338(a)(2)(L)”.

7 **SEC. 4. AUTHORIZATIONS.**

8 Section 5338(a) of title 49, United States Code, is
9 amended—

10 (1) in paragraph (1)—

11 (A) in subparagraph (B), by striking
12 “\$13,634,000,000” and inserting
13 “\$13,934,000,000”;

14 (B) in subparagraph (C), by striking
15 “\$13,990,000,000” and inserting
16 “\$14,290,000,000”;

17 (C) in subparagraph (D), by striking
18 “\$14,279,000,000” and inserting
19 “\$14,579,000,000”; and

20 (D) in subparagraph (E), by striking
21 “\$14,642,000,000” and inserting
22 “\$14,942,000,000”; and

23 (2) in paragraph (2)(L)—

24 (A) by striking “\$3,587,778,037” and in-
25 serting “\$3,887,778,037”;

1 (B) by striking “\$3,680,934,484” and in-
2 serting “\$3,980,934,484”;

3 (C) by striking “\$3,755,675,417” and in-
4 serting “\$4,055,675,417”;

5 (D) by striking “\$3,850,496,668” and in-
6 serting “\$4,150,496,668”; and

7 (E) by inserting “and \$300,000,000 for
8 each of fiscal years 2023 through 2026 shall be
9 available to carry out section 5337(g)” after
10 “section 5337(f)”.

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