

117TH CONGRESS
2D SESSION

S. 5275

To require that certain aspects of bridge projects be carried out by certified contractors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2022

Mr. CASEY (for himself and Ms. STABENOW) introduced the following bill;
which was read twice and referred to the Committee on Environment and
Public Works

A BILL

To require that certain aspects of bridge projects be carried
out by certified contractors, 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 “Bridge Quality Preser-
5 vation Act”.

6 **SEC. 2. CORROSION PREVENTION FOR BRIDGES.**

7 (a) DEFINITIONS.—In this section:

8 (1) APPLICABLE BRIDGE PROJECT.—The term
9 “applicable bridge project” means a project for con-
10 struction, replacement, rehabilitation, preservation,

1 or protection, other than de minimis work, as deter-
2 mined by the entity carrying out the project, on—

3 (A) a bridge project that receives financial
4 assistance under title 23, United States Code;
5 or

6 (B) a project for a railroad bridge (as de-
7 fined in section 237.5 of title 49, Code of Fed-
8 eral Regulations (or successor regulations)) that
9 receives financial assistance under title 49,
10 United States Code.

11 (2) CERTIFIED CONTRACTOR.—The term “cer-
12 tified contractor” means a contracting or subcon-
13 tracting firm that has been certified by a third-party
14 organization recognized industry-wide that evaluates
15 the capability of the contractor or subcontractor to
16 properly perform 1 or more specified aspects of an
17 applicable bridge project described in subsection
18 (b)(2).

19 (3) QUALIFIED TRAINING PROGRAM.—The term
20 “qualified training program” means a training pro-
21 gram in corrosion control, mitigation, and prevention
22 that is—

23 (A) offered or accredited by an organiza-
24 tion that sets industry corrosion standards; or

1 (B) an industrial coatings applicator train-
2 ing program—

3 (i) registered under the Act of August
4 16, 1937 (commonly known as the “Na-
5 tional Apprenticeship Act”) (50 Stat. 664,
6 chapter 663; 29 U.S.C. 50 et seq.); and

7 (ii) that meets the standards of sub-
8 part A of part 29 and part 30 of title 29,
9 Code of Federal Regulations (or successor
10 regulations).

11 (b) APPLICABLE BRIDGE PROJECTS.—

12 (1) QUALITY CONTROL.—A certified contractor
13 shall carry out aspects of an applicable bridge
14 project described in paragraph (2).

15 (2) ASPECTS OF APPLICABLE BRIDGE
16 PROJECTS.—Aspects of an applicable bridge project
17 referred to in paragraph (1) include—

18 (A) surface preparation or coating applica-
19 tion on steel, concrete, or rebar of an applicable
20 bridge project;

21 (B) removal of a lead-based or other haz-
22 ardous coating from steel or concrete of an ex-
23 isting applicable bridge project; and

1 (C) shop painting of structural steel or
2 rebar fabricated for installation on an applica-
3 ble bridge project.

4 (3) CORROSION MANAGEMENT SYSTEM.—In
5 carrying out an applicable bridge project, the entity
6 carrying out the project shall—

7 (A) implement a corrosion management
8 system that utilizes industry-recognized stand-
9 ards and corrosion mitigation and prevention
10 methods to address different considerations, in-
11 cluding—

- 12 (i) surface preparation;
- 13 (ii) protective coatings;
- 14 (iii) materials selection;
- 15 (iv) cathodic protection;
- 16 (v) corrosion engineering;
- 17 (vi) personnel training; and
- 18 (vii) best practices in environmental
19 protection to prevent environmental deg-
20 radation and uphold public health; and

21 (B) require certified contractors, for the
22 purpose of carrying out aspects of applicable
23 bridge projects described in paragraph (2), to
24 employ a substantial number of individuals that
25 are trained and certified by a qualified training

1 program as meeting the ANSI/NACE Number
 2 13/SSPC–ACS–1 standard (or a successor
 3 standard).

4 (4) CERTIFICATION.—For an applicable bridge
 5 project that includes an aspect described in para-
 6 graph (2), the entity carrying out the project shall
 7 only accept bids from a certified contractor that pre-
 8 sents written proof that the certification of the con-
 9 tractor meets the relevant SSPC–QP standards (or
 10 a successor standard).

11 (c) TRAINING PROGRAM.—As a condition of entering
 12 into a contract for an applicable bridge project, each cer-
 13 tified contractor shall provide training for each individual
 14 who is not a certified coating applicator but that the cer-
 15 tified contractor employs to carry out aspects of applicable
 16 bridge projects described in subsection (b)(2).

17 **SEC. 3. AVAILABILITY OF FEDERAL GRANT FUNDING FOR**
 18 **CORROSION CONTROL WORK ON RAIL**
 19 **BRIDGES.**

20 Section 22402(b)(1) of title 49, United States Code,
 21 is amended—

22 (1) in subparagraph (E), by striking “or” at
 23 the end;

24 (2) by redesignating subparagraph (F) as sub-
 25 paragraph (G); and

1 (3) by inserting after subparagraph (E) the fol-
2 lowing:

3 “(F) to perform corrosion control work on
4 rail bridges; or”.

5 **SEC. 4. STUDY ON EFFICACY OF WEATHERING STEEL.**

6 (a) FINDINGS.—Congress finds that—

7 (1) weathering steel is often used for bridge
8 construction projects because of its ability to with-
9 stand weather conditions better than other forms of
10 steel;

11 (2) the recent collapse of the Fern Hollow
12 Bridge in Pittsburgh, Pennsylvania, in January
13 2022 highlights the real threat that corrosion poses
14 to the bridges of the United States;

15 (3) more research is needed into the
16 vulnerabilities of weathering steel; and

17 (4) States and units of local government need
18 more information on when and how to address the
19 risk of corrosion to weathering steel.

20 (b) STUDY.—Not later than 18 months after the date
21 of enactment of this Act, the Secretary of Transportation
22 shall—

23 (1) carry out a study on best practices for—

24 (A) the frequency and method of inspect-
25 ing corrosion on weathering steel bridges; and

1 (B) addressing corrosion on weathering
2 steel bridges;

3 (2) submit to the Committee on Environment
4 and Public Works of the Senate, the Committee on
5 Commerce, Science, and Transportation of the Sen-
6 ate, and the Committee on Transportation and In-
7 frastructure of the House of Representatives a re-
8 port on the results of the study under paragraph
9 (1); and

10 (3) make the report under paragraph (2) avail-
11 able to State departments of transportation, metro-
12 politan planning organizations (as defined in section
13 134(b) of title 23, United States Code), regional
14 transportation planning organizations (as defined in
15 that section), and units of local government that
16 own bridge assets.

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