

# Quick Reference Guide to Freight in the FAST Act

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**MID-AMERICA**



**FREIGHT COALITION**

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## Table of Contents

Multimodal.....	5
Section 70101, Pg. 294 National Multimodal Freight Policy.....	5
Section 70102, Pg. 295 National Freight Strategic Plan.....	5
Section 70103, Pg. 296 National Multimodal Freight Network.....	6
Section 70201, Pg. 299 State Freight Advisory Committees.....	7
Section 70202, Pg. 299 State Freight Plans.....	7
Section 70203, Pg. 300 Transportation Investment Data and Planning Tools.....	8
Section 1105, Pg. 21. Nationally Significant Freight and Highway Projects.....	9
Highway/Road.....	11
Section 1101, Pg. 11. Authorization of Appropriations.....	11
Section 1104, Pg. 18 Apportionment (National Highway Freight Program).....	11
Section 1108, Pg. 27 Railway-Highway Grade Crossings.....	12
Section 1109, Pg. 27 Surface Transportation Block Grant Program.....	12
Section 1114, Pg. 37 Congestion Mitigation and Air Quality Improvement Program.....	22
Section 1116, Pg. 38 National Highway Freight Program.....	13
Section 1409, Pg. 100 Milk Products.....	19
Section 1410, Pg. 100 Interstate Weight Limits.....	19
Section 1413 Pg. 106 National Electric Vehicle Charging and Hydrogen, Propane, and Natural Gas Fueling Corridors.....	19
Section 6005, Pg. 256 Intelligent Transportation System Goals.....	19
Section 6021 Pg. 272 Future Interstate Study.....	19
Section 6026 Pg. 275 Traffic Congestion.....	19
Railway.....	19
Section 24407, Pg. 334 Consolidated Rail Infrastructure and Safety Improvements.....	19
Section 11308, Pg. 353 Performance- Based Proposals.....	20
Section 11311, Pg. 359 Shared-Used Study.....	20

Section 11603, Pg. 383 Eligible Applicants (Rail Financing) .....	21
Maritime .....	22
Section 1201, Pg. 60 Metropolitan Transportation Planning .....	22
Section 1202, Pg. 63 Statewide and Nonmetropolitan Freight Planning .....	22
Section 6018, Pg. 265 Port Performance Freight Statistics Program.....	22
Motor Carrier Safety Topics.....	23
Section 5101, Pg. 203 Motor Carrier Safety Grants to States.....	23
Section 5103, Pg. 215 Authorization of Appropriations .....	23
Section 5104, Pg. 216 CDL Program Implementation.....	23
Section 5015, Pg. 218 Extension of FMCSA Programs for FY 2016.....	23
Section 5106, Pg. 219 Motor Carrier Safety Assistance Program Allocation.....	24
Section 5202, Pg. 223 FMCSA Regulatory Reform (Regulations).....	24
Section 5221, Pg. 227 Correlation Study .....	24
Section 5222 Pg. 229 Beyond Compliance.....	24
Section 5223 Pg. 230 Data Certification .....	24
Section 5225 Pg. 231 Accident Review .....	24
Subtitle C, Pg. 232 Commercial Motor Vehicle Safety .....	24
Subtitle D, Pg. 235 Commercial Motor Vehicle Drivers .....	24
Subtitle E, Pg. 239 General Provisions .....	24
Hazardous Materials Topics.....	24
Section 7101, Pg. 277 Authorization of Appropriations .....	24
Section 7202. Pg. 278 Motor Carrier Safety Permits .....	24
Section 7203. Pg. 278 Improving Effectiveness of Planning and Training Grants .....	24
Section 7204, Pg. 281 Improving Publications of Special Permits and Approvals.....	24
Section 7206, Pg. 281 Wetlines .....	25
Section 7207, Pg. 281 GAO Study on Acceptance of Classification Examinations.....	25
Section 7208, Pg. 282 Hazardous Materials Endorsement Exemption.....	25
Section 7301, Pg. 283 Community Safety Grants .....	25
Section 7302, Pg. 283 Real-Time Emergency Response Information .....	25
Section 7303, Pg. 285 Emergency Response .....	27
Section 7304, Pg. 285 Phase Out of All Tank Cars Used to Transport Class 3 Flammable Liquids .....	27
Section 7305, Pg. 286 Thermal Blankets.....	27

Section 7306, Pg. 287 Minimum Requirements for Top Fittings Protection for Class DOT -117R Tank Cars ..... 27

Section 7308, Pg. 289 Modification Reporting ..... 27

Section 7310, Pg. 290 Hazardous Materials By Rail Liability Study ..... 27

Section 7311, Pg. 290 Study and Testing of Electronically Controlled Pneumatic Brakes ..... 27

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## Multimodal

### Section 70101, Pg. 294 National Multimodal Freight Policy

- Pg. 294 (a) IN GENERAL.—It is the policy of the United States to maintain and improve the condition and performance of the National Multimodal Freight Network established under section 70103 to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b)
- Pg. 294 (b) Describes the goals of the National Multimodal Freight Policy
  - To identify infrastructure improvements, policies, and operational innovations that
    - Strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States
    - Reduce congestion and eliminate bottlenecks on the National Multimodal Freight Network; and
    - Increase productivity, particularly for domestic industries and businesses that create high-value jobs.
  - to improve the safety, security, efficiency, and resiliency of multimodal freight transportation;
  - to achieve and maintain a state of good repair on the National Multimodal Freight Network;
  - to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Multimodal Freight Network;
  - to improve the economic efficiency and productivity of the National Multimodal Freight Network;
  - to improve the reliability of freight transportation;
  - to improve the short- and long-distance movement of goods that:
    - travel across rural areas between population centers;
    - travel between rural areas and population centers, or
    - travel from the Nation’s ports, airports, and gateways to the National Multimodal Freight Network.
  - to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity;
  - to reduce the adverse environmental impacts of freight movement on the National Multimodal Freight Network;
  - to pursue the goals described in this subsection in a manner that is not burdensome to State and local governments.
- Pg. 295 (c) The Under Secretary of Transportation for Policy shall:
  - Carry out sections 70102 and 70103;
  - assist with the coordination of modal freight planning, and
  - identify interagency data sharing opportunities to promote freight planning and coordination.

### Section 70102, Pg. 295 National Freight Strategic Plan

- Pg. 295 (a) No later than 2 years after enactment, the Under Secretary of Transportation for Policy shall:
  - Develop a national freight strategic plan in accordance with this section, and
  - Publish the plan on the website of the USDOT.
- Pg. 295 (b) Contents of the plan shall include:

- An assessment of the condition and performance of the National Multimodal Freight Network established under section 70103;
- forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;
- an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators; and
- an identification of bottlenecks on the National Multimodal Freight Network that create significant freight congestion, based on a quantitative methodology developed by the Under Secretary, which shall include, at a minimum:
  - information from the Freight Analysis Framework of the Federal Highway Administration
  - to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented
- an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance, and a description of opportunities for overcoming the barriers;
- a process for addressing multistate projects and encouraging jurisdictions to collaborate;
- strategies to improve freight intermodal connectivity;
- an identification of corridors providing access to energy exploration, development, installation, or production areas;
- an identification of corridors providing access to major areas for manufacturing, agriculture, or natural resources;
- an identification of best practices for improving the performance of the National Multimodal Freight Network, including critical commerce corridors and rural and urban access to critical freight corridors, and
- an identification of best practices to mitigate the impacts of freight movement on communities.
- Pg. 296 (c) Requires updates to plan every 5 years.
- Pg. 296 (d) The Under Secretary shall develop and update the national freight strategic plan
  - after providing notice and an opportunity for public comment; and
  - in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders.

### **Section 70103, Pg. 296 National Multimodal Freight Network**

- Pg. 296 (a) The Under Secretary of Transportation for Policy shall establish a National Multimodal Freight Network in accordance with this section:
  - to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on the Network;
  - to inform freight transportation planning;
  - to assist in the prioritization of Federal investment, and
  - to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23.

- Pg. 296 (b) describes requirements for interim network:
  - Not later than 180 days after the date of enactment of this section, the Under Secretary shall establish an interim National Multimodal Freight Network in accordance with this subsection.
  - The interim National Multimodal Freight Network shall include:
    - the National Highway Freight Network, as established under section 167 of title 23;
    - the freight rail systems of Class I railroads, as designated by the Surface Transportation Board;
    - the public ports of the United States that have total annual foreign and domestic trade of at least 2,000,000 short tons, as identified by the Waterborne Commerce Statistics Center of the Army Corps of Engineers, using the data from the latest year for which such data is available;
    - the inland and intracoastal waterways of the United States, as described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);
    - the Great Lakes, the St. Lawrence Seaway, and coastal and ocean routes along which domestic freight is transported;
    - the 50 airports located in the United States with the highest annual landed weight, as identified by the Federal Aviation Administration, and
    - other strategic freight assets, including strategic intermodal facilities and freight rail lines of Class II and Class III railroads, designated by the Under Secretary as critical to interstate commerce.

### **Section 70201, Pg. 299 State Freight Advisory Committees**

- Pg. 299 (a) The Secretary of Transportation shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, freight railroads, shippers, carriers, freight-related associations, third-party logistics providers, the freight industry workforce, the transportation department of the State, and local governments.
- Pg. 299 (b) A freight advisory committee of a State described in subsection (a) shall:
  - advise the State on freight-related priorities, issues, projects, and funding needs;
  - serve as a forum for discussion for State transportation decisions affecting freight mobility;
  - communicate and coordinate regional priorities with other organizations;
  - promote the sharing of information between the private and public sectors on freight issues, and
  - participate in the development of the freight plan of the State described in section 70202.

### **Section 70202, Pg. 299 State Freight Plans**

- Pg. 299 (a) Each State that receives funding under section 167 of title 23 shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.
- Pg. 299 (b) A State freight plan described in subsection (a) shall include, at a minimum:

- an identification of significant freight system trends, needs, and issues with respect to the State;
- a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;
- when applicable, a listing of:
  - multimodal critical rural freight facilities and corridors designated within the State under section 70103 of this title, and
  - critical rural and urban freight corridors designated within the State under section 167 of title 23
- a description of how the plan will improve the ability of the State to meet the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23;
- a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;
- in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of the roadways, a description of improvements that may be required to reduce or impede the deterioration;
- an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and for those facilities that are State owned or operated, a description of the strategies the State is employing to address the freight mobility issues;
- consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay;
- a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched, and
- consultation with the State freight advisory committee, if applicable.
- Pg. 300 (c) Relationship to Long-Range Plan:
  - INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.
  - FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.
- Pg. 300 (d) Planning period – forecast of 5 years.
- Pg. 300 (e) Updates required not less frequently than 5 years, states may update more frequently.

### **Section 70203, Pg. 300 Transportation Investment Data and Planning Tools**

- Pg. 300 (a) Not later than 1 year after the date of enactment of this section, the Secretary of Transportation shall:



- begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including:
  - methodologies for systematic analysis of benefits and costs on a national or regional basis;
  - tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;
  - improved methods for data collection and trend analysis;
  - encouragement of public-private collaboration to carry out data sharing activities while maintaining the confidentiality of all proprietary data, and
  - other tools to assist in effective transportation planning
- identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and
- at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

### **Section 1105, Pg. 21. Nationally Significant Freight and Highway Projects**

Title 23 USC is amended with insertion of the below section 117:

- Pg. 21 (a) ESTABLISHMENT
  - There is established a nationally significant freight and highway projects program to provide financial assistance for projects of national or regional significance.
  - The goals of the program shall be to:
    - improve the safety, efficiency, and reliability of the movement of freight and people;
    - generate national or regional economic benefits and an increase in the global economic competitiveness of the United States;
    - reduce highway congestion and bottlenecks;
    - improve connectivity between modes of freight transportation;
    - enhance the resiliency of critical highway infrastructure and help protect the environment;
    - improve roadways vital to national energy security, and
    - address the impact of population growth on the movement of people and freight.
- Pg. 22 (b)(2) Grant amount: A minimum of \$25,000,000.
- Pg. 22 (c) Eligible Applicants:
  - A State or a group of States;
  - A metropolitan planning organization that serves an urbanized area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals;
  - A unit of local government or a group of local governments;
  - A political subdivision of a State or local government;
  - A special purpose district or public authority with a transportation function, including a port authority;
  - A Federal land management agency that applies jointly with a State or group of States;
  - A tribal government or a consortium of tribal governments, or
  - A multistate or multijurisdictional group of entities described in this paragraph.

- Pg. 22(d) Eligible Projects
  - a highway freight project carried out on the National Highway Freight Network established under section 167;
  - a highway or bridge project carried out on the National Highway System, including:
    - a project to add capacity to the Interstate System to improve mobility, or
    - a project in a national scenic area
  - a freight project that is:
    - a freight intermodal or freight rail project;
    - within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility;
    - a railway-highway grade crossing or grade separation project, or
    - have eligible project costs that are reasonably anticipated to equal or exceed the lesser of
      - \$100,000,000
      - in the case of a project
        - located in 1 State, 30 percent of the amount apportioned under this chapter to the State in the most recently completed fiscal year
        - located in more than 1 State, 50 percent of the amount apportioned under this chapter to the participating State with the largest apportionment under this chapter in the most recently completed fiscal year.
- Pg. 23(C)(2), Limitation: No more than \$500 million between 2016 and 2020 may be spent on non-highway projects, excluding grade crossing projects.
- Pg. 23(e) Small projects: Reserves 10% of yearly appropriation for small projects.
- Pg. 23 (f) Describes eligible project costs.
- Pg. 23 (g) Describes project requirements
- Pg. 24 (i) Reserves at least 25% of appropriated funds for use in rural areas
- Pg. 25 (k) Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project is located on a Federal-aid highway
- Pg. 25(l) TIFIA PROGRAM.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.
- Pg. 25(m) CONGRESSIONAL NOTIFICATION:
  - NOTIFICATION.—
    - IN GENERAL.—At least 60 days before making a grant for a project under this section, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the proposed grant. The notification shall include an evaluation and justification for the project and the amount of the proposed grant award.
    - MULTIMODAL PROJECTS.—In addition to the notice required under subparagraph (A), the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate before making a grant for a project described in subsection (d)(1)(A)(iii).

- CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).
- Pg. 25 (n) REPORTS: The Secretary shall make available on the Web site of the Department of Transportation at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.
  - ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants under this section.
  - REPORT.—Not later than 1 year after the initial awarding of grants under this section, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—
    - the adequacy and fairness of the process by which each project was selected, if applicable; and
    - the justification and criteria used for the selection of each project, if applicable.

## Highway/Road

### Section 1101, Pg. 11. Authorization of Appropriations

- Pg. 11(a)(1) Appropriates following funding for highway for programs including National Highway Freight Program:
  - \$39,727,500,000 for fiscal year 2016;
  - \$40,547,805,000 for fiscal year 2017;
  - \$41,424,020,075 for fiscal year 2018;
  - \$42,358,903,696 for fiscal year 2019; and
  - \$43,373,294,311 for fiscal year 2020.
- Pg. 12(a)(5) For nationally significant freight and highway projects under section 117 of title 23, United States Code
  - \$800,000,000 for fiscal year 2016;
  - \$850,000,000 for fiscal year 2017;
  - \$900,000,000 for fiscal year 2018;
  - \$950,000,000 for fiscal year 2019; and
  - \$1,000,000,000 for fiscal year 2020.

### Section 1104, Pg. 18 Apportionment (National Highway Freight Program)

- Pg. 18 (b)(A)(5)
  - IN GENERAL.—For the national highway freight program under section 167, the Secretary shall set aside from the base apportionment determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).
  - TOTAL AMOUNT.—The total amount set aside for the national highway freight program for all States shall be—
    - \$1,150,000,000 for fiscal year 2016;

- \$1,100,000,000 for fiscal year 2017;
  - \$1,200,000,000 for fiscal year 2018;
  - \$1,350,000,000 for fiscal year 2019; and
  - \$1,500,000,000 for fiscal year 2020.
- STATE SHARE.—For each fiscal year, the Secretary shall distribute among the States the total set-aside amount for the national highway freight program under subparagraph (B) so that each State receives the amount equal to the proportion that—
  - the total base apportionment determined for the State under subsection (c); bears to
  - the total base apportionments for all States under subsection (c).
- Pg. 19 (C) CALCULATION OF AMOUNTS:
  - STATE SHARE.—For each of fiscal years 2016 through 2020, the amount for each State shall be determined as follows:
    - INITIAL AMOUNTS.—The initial amounts for each
      - State shall be determined by multiplying—
        - each of—
          - the base apportionment;
          - supplemental funds reserved under subsection (h)(1) for the national highway performance program; and
          - supplemental funds reserved under subsection (h)(2) for the surface transportation block grant program; by
        - the share for each State, which shall be equal to the proportion that—
          - the amount of apportionments that the State received for fiscal year 2015; bears to
          - the amount of those apportionments received by all States for that fiscal year.
    - ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available
  - State Apportionment: STATE APPORTIONMENT.—On October 1 of fiscal years 2016 through 2020, the Secretary shall apportion the sums authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national highway freight program under section 167, and to carry out section 134 in accordance with paragraph(1).

### **Section 1108, Pg. 27 Railway-Highway Grade Crossings**

Amends 130(e)(1) of USC 23 to change amounts of Highway Safety Improvement Program funds available for grade crossing improvement/separation.

### **Section 1109, Pg. 27 Surface Transportation Block Grant Program**

Pg. 28 (b)(1)(E) Truck parking facilities are eligible for funding.

Pg. 28 (b)(1)(F) Border infrastructure projects eligible for funding.

Pg. 29 (b)(11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal are eligible for funding.

## Section 1116, Pg. 38 National Highway Freight Program

Amends Section 167 of USC 23

- Pg. 38(a) IN GENERAL
  - POLICY.—It is the policy of the United States to improve the condition and performance of the National Highway Freight Network established under this section to ensure that the Network provides the foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).
  - ESTABLISHMENT.—In support of the goals described in subsection (b), the Administrator of the Federal Highway Administration shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the National Highway Freight Network.
- Pg. 38(b) GOALS
  - to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—
    - strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States;
    - reduce congestion and bottlenecks on the National Highway Freight Network;
    - reduce the cost of freight transportation;
    - improve the year-round reliability of freight transportation; and
    - increase productivity, particularly for domestic industries and businesses that create high-value jobs.
  - to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;
  - to improve the state of good repair of the National Highway Freight Network;
  - to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network;
  - to improve the efficiency and productivity of the National Highway Freight Network;
  - to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address highway freight connectivity, and
  - to reduce the environmental impacts of freight movement on the National Highway Freight Network.
- Pg. 39(c) ESTABLISHMENT OF NATIONAL HIGHWAY FREIGHT NETWORK
  - IN GENERAL.—The Administrator shall establish a National Highway Freight Network in accordance with this section to strategically direct Federal resources and policies toward improved performance of the Network.
  - NETWORK COMPONENTS.—The National Highway Freight Network shall consist of—
    - the primary highway freight system, as designated under subsection (d);
    - critical rural freight corridors established under subsection (e);
    - critical urban freight corridors established under subsection (f); and
    - the portions of the Interstate System not designated as part of the primary highway freight system.
  - DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM
    - INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be the 41,518-mile network identified

during the designation process for the primary freight network under section 167(d) of this title, as in effect on the day before the date of enactment of the FAST Act.

- REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—
  - IN GENERAL.—Beginning 5 years after the date of enactment of the FAST Act, and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system.
  - REDESIGNATION MILEAGE.—Each redesignation may increase the mileage on the primary highway freight system by not more than 3 percent of the total mileage of the system.
  - USE OF MEASURABLE DATA.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destinations, and linking components of the United States global and domestic supply chains.
  - INPUT.—In redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees, as applicable, to submit additional miles for consideration.
  - FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—
    - changes in the origins and destinations of freight movement in, to, and from the United States changes in the percentage of annual daily truck traffic in the annual average daily traffic on principal arterials;
    - changes in the location of key facilities;
    - land and water ports of entry;
    - access to energy exploration, development installation, or production areas;
    - access to other freight intermodal facilities, including rail, air, water, and pipelines facilities;
    - the total freight tonnage and value moved via highways;
    - significant freight bottlenecks, as identified by the Administrator;
    - the significance of goods movement on principal arterials, including consideration of global and domestic supply chains;
    - critical emerging freight corridors and critical commerce corridors, and
    - network connectivity.
- Pg. 40(e) CRITICAL RURAL FREIGHT CORRIDORS
  - IN GENERAL.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road is not in an urbanized area and—
    - is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13)
    - provides access to energy exploration, development, installation, or production areas
    - connects the primary highway freight system, a roadway described in subparagraph (A) or (B), or the Interstate System to facilities that handle more than—
      - 50,000 20-foot equivalent units per year; or
      - 500,000 tons per year of bulk commodities
    - provides access to—

- a grain elevator;
  - an agricultural facility;
  - a mining facility;
  - a forestry facility; or
  - an intermodal facility.
- connects to an international port of entry
  - provides access to significant air, rail, water, or other freight facilities in the State; or
  - is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.
- LIMITATION: A State may designate as critical rural freight corridors a maximum of 150 miles of highway or 20 percent of the primary highway freight system mileage in the State, whichever is greater.
- Pg. 41 (f) CRITICAL URBAN FREIGHT CORRIDORS
  - URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.
  - URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.
  - REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraph (1) or (2) if the public road—
    - is in an urbanized area, regardless of population; and
      - connects an intermodal facility to—
        - the primary highway freight system;
        - the Interstate System, or
        - an intermodal freight facility.
      - is located within a corridor of a route on the primary highway freight system and provides an alternative highway option important to goods movement;
      - serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or
      - is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.
  - LIMITATION. For each State, a maximum of 75 miles of highway or 10 percent of the primary highway freight system mileage in the State, whichever is greater, may be designated as a critical urban freight corridor under paragraphs (1) and (2).
- Pg. 42 (g) DESIGNATION AND CERTIFICATION
  - DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.
  - CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.
- Pg. 42 (h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS

- Not later than 2 years after the date of enactment of the FAST Act, and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the National Highway Freight Network in the United States.
  - **USE OF APPORTIONED FUNDS.**
    - **IN GENERAL.**—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the National Highway Freight Network.
    - **FORMULA.**—The Administrator shall calculate for each State the proportion that—
      - the total mileage in the State designated as part of the primary highway freight system; bears to
      - the total mileage of the primary highway freight system in all States.
    - **USE OF FUNDS**
      - **STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.**—If the proportion of a State under paragraph (2) is greater than or equal to 2 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—
        - the primary highway freight system
        - critical rural freight corridors; and
        - critical urban freight corridors.
      - **STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.**—If the proportion of a State under paragraph (2) is less than 2 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the National Highway Freight Network.
    - **FREIGHT PLANNING.**—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the FAST Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has developed a freight plan in accordance with section 70202 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section
    - **ELIGIBILITY.**—
      - **IN GENERAL.**—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—
        - contribute to the efficient movement of freight on the National Highway Freight Network; and
        - be identified in a freight investment plan included in a freight plan of the State that is in effect.
      - **OTHER PROJECTS.**—For each fiscal year, a State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for freight intermodal or freight rail projects, including projects—
        - within the boundaries of public or private freight rail or water facilities (including ports); and
        - that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into or out of the facility.



- ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:
  - Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.
  - Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.
  - Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.
  - Efforts to reduce the environmental impacts of freight movement.
  - Environmental and community mitigation for freight movement.
  - Railway-highway grade separation.
  - Geometric improvements to interchanges and ramps.
  - Truck-only lanes.
  - Climbing and runaway truck lanes.
  - Adding or widening of shoulders.
  - Truck parking facilities eligible for funding under section 1401 of MAP-21 (23 U.S.C. 137 note).
  - Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.
  - Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.
  - Traffic signal optimization, including synchronized and adaptive signals.
  - Work zone management and information systems.
  - Highway ramp metering.
  - Electronic cargo and border security technologies that improve truck freight movement.
  - Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.
  - Additional road capacity to address highway freight bottlenecks.
  - Physical separation of passenger vehicles from commercial motor freight.
  - Enhancement of the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security, to improve the flow of freight.
  - A highway or bridge project, other than a project described in clauses (i) through (xxi), to improve the flow of freight on the National Highway Freight Network.

- Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).
    - OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—
      - carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and
      - the necessary costs of—
        - conducting analyses and data collection related to the national highway freight program;
        - developing and updating performance targets to carry out this section; and
        - reporting to the Administrator to comply with the freight performance target under section 150.
    - APPLICABILITY OF PLANNING REQUIREMENTS: REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.
- Pg 44. (j) STATE PERFORMANCE TARGETS If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, the State shall include in the next report submitted under section 150(e) a description of the actions the State will undertake to achieve the targets, including—
  - an identification of significant freight system trends, needs, and issues within the State;
  - a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;
  - an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating national highway freight program funds to improve those bottlenecks; and
  - a description of the actions the State will undertake to meet the performance targets of the State.
- Pg. 44 (k) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM
  - DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term ‘intelligent freight transportation system’ means—
    - innovative or intelligent technological transportation systems, infrastructure, or facilities, including elevated freight transportation facilities
      - in proximity to, or within, an existing right of way on a Federal-aid highway; or
      - that connect land ports-of entry to existing Federal-aid highways; or
    - communications or information processing systems that improve the efficiency, security, or safety of freight movements on the Federal-aid highway system, including to improve the conveyance of freight on dedicated intelligent freight lanes.
  - OPERATING STANDARDS.—The Administrator shall determine whether there is a need for establishing operating standards for intelligent freight transportation systems.
- Pg. 45 (L) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.”
- Pg 45 CLERICAL AMENDMENT:

The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 167 and inserting the following: “167. National highway freight program.”.

(c) REPEALS.—Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note), and the items relating to such sections in the table of contents in section 1(c) of such Act, are repealed.

### **Section 1409, Pg. 100 Milk Products**

Milk is now classified as non-divisible load.

### **Section 1410, Pg. 100 Interstate Weight Limits**

Amends section 127 of USC 23. Waives weight limits for certain logging vehicles in WI and MN, changes limits for other vehicles including emergency vehicles, and vehicles powered by natural gas.

### **Section 1413 Pg. 106 National Electric Vehicle Charging and Hydrogen, Propane, and Natural Gas Fueling Corridors**

- Pg. 106(a)(3)(C) – For designation of corridors, requires USDOT to involve, on a voluntary basis, stakeholders from freight and shipping industry.

### **Section 6005, Pg. 256 Intelligent Transportation System Goals**

Amends 514(a) of USC 23 to include “enhancement of the national freight system and support to national freight policy goals.”

### **Section 6021 Pg. 272 Future Interstate Study**

Pg. 273 (e)(2)(C) – Encourages TRB to consult with motor carriers and freight shippers when studying new interstate routes.

### **Section 6026 Pg. 275 Traffic Congestion**

Pg. 275(b)(2) Authorizes USDOT to conduct research on congestion reduction, including analyzing freight data.

## **Railway**

### **Section 24407, Pg. 334 Consolidated Rail Infrastructure and Safety Improvements**

- Pg. 334(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.
- Pg. 334(b) ELIGIBLE RECIPIENTS
  - A state or group of states;
  - An interstate compact;
  - A public agency or publicly chartered authority established by 1 or more states;
  - A political subdivision of a state;
  - A Class II or III railroad;
  - Any rail carrier or rail equipment manufacturer in partnership with at least one of the entities above;
  - TRB and its contractors engaged in rail research;
  - UTCs, and
  - Labor organizations representing employees of rail carriers,

- Pg. 334(c) Eligible Projects
  - Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.
  - A capital project as defined in section 24401(2), except that a project shall not be required to be in a State rail plan developed under chapter 227.
  - A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.
  - A capital project identified by the Secretary as being necessary to reduce congestion and facilitate ridership growth in intercity passenger rail transportation along heavily traveled rail corridors.
  - A highway-rail grade crossing improvement project, including installation, repair, or improvement of grade separations, railroad crossing signals, gates, and related technologies, highway traffic signalization, highway lighting and crossing approach signage, roadway improvements such as medians or other barriers, railroad crossing panels and surfaces, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.
  - A rail line relocation and improvement project.
  - A capital project to improve short-line or regional railroad infrastructure.
  - The preparation of regional rail and corridor service development plans and corresponding environmental analyses.
  - Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service or commercial air service.
  - The development and implementation of a safety program or institute designed to improve rail safety.
  - Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.
  - Workforce development and training activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, the Department of Labor, and the Department of Education.

### **Section 11308, Pg. 353 Performance- Based Proposals**

- Pg. 355(J) High speed rail proposals must account for growth in freight service.
- Pg. 356(c)(1)(C) – High speed rail commissions must include representative from freight railroads.

### **Section 11311, Pg. 359 Shared-Used Study**

- Pg 359(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail passenger transportation authorities, other railroad carriers, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905 of title 49, United States Code, the State-Supported Route Committee established under section 24712 of such title, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates— (1) the shared use of right-of-way by passenger and freight rail systems; and (2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).
- Pg. 359(b) AREAS OF STUDY

- the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—
  - access agreements;
  - costs of access; and
  - the resolution of disputes relating to such access or costs
- the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—
  - the manner in which passenger train delays are recorded;
  - the assignment of responsibility for such delays; and
  - the use of incentives and penalties for performance;
- the strengths and weaknesses of the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;
- mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail; and
- approaches to operations, capacity, and cost estimation modeling that—
  - allow for transparent decision making; and
  - protect the proprietary interests of all parties;

### **Section 11603, Pg, 383 Eligible Applicants (Rail Financing)**

- Pg. 383)(2)(“6”) amends to read “sole for the purpose of construction a rail connection between a plant or facility and a railroad, limited option freight shippers that own or operate a plant or other facility.

## Maritime

### Section 1114, Pg. 37 Congestion Mitigation and Air Quality Improvement Program

- Amends (A)(ii) of Section 149 of USC 23 by inserting “or port-related freight operations” after “construction projects”
- Pg. 38 (“4”) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.’

### Section 1201, Pg. 60 Metropolitan Transportation Planning

In Section 134 USC 23 (h)(6)(A), insert “public ports” before “freight shippers”.

### Section 1202, Pg. 63 Statewide and Nonmetropolitan Freight Planning

In Section 135 USC 23 (f)(3)(A)(ii), insert “public ports” before freight shippers.

In Section 135 USC 23 (g)(3) insert “public ports” before “freight shippers.”

### Section 6018, Pg. 265 Port Performance Freight Statistics Program

Pg. 265 (a) The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum

- the Nation’s top 25 ports by tonnage;
- the Nation’s top 25 ports by 20-foot equivalent unit; and
- the Nation’s top 25 ports by dry bulk.
- Pg. 265(b) Reports
  - PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection(a)
  - PORT PERFORMANCE MEASURES.—The Director shall collect port performance measures for each of the United States ports referred to in subsection (a) that
    - receives Federal assistance; or
    - is subject to Federal regulation to submit necessary information to the Bureau that includes statistics on capacity and throughput as applicable to the specific configuration of the port
- Pg. 265(c) Recommendations
  - IN GENERAL.—The Director shall obtain recommendations for
    - port performance measures, including specifications and data measurements to be used in the program established under subsection (a); and
    - a process for the Department to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).
  - WORKING GROUP.—Not later than 60 days after the date of the enactment of the Transportation for Tomorrow Act of 2015, the Director shall commission a working group composed of—
    - “(A) operating administrations of the Department;
    - “(B) the Coast Guard;
    - “(C) the Federal Maritime Commission;
    - “(D) U.S. Customs and Border Protection;
    - “(E) the Marine Transportation System National Advisory Council;

- “(F) the Army Corps of Engineers;
  - “(G) the Saint Lawrence Seaway Development Corporation;
  - “(H) the Bureau of Labor Statistics;
  - “(I) the Maritime Advisory Committee for Occupational Safety and Health;
  - “(J) the Advisory Committee on Supply Chain Competitiveness;
  - “(K) 1 representative from the rail industry;
  - “(L) 1 representative from the trucking industry;
  - “(M) 1 representative from the maritime shipping industry;
  - “(N) 1 representative from a labor organization for each industry described in subparagraphs (K) through (M);
  - “(O) 1 representative from the International Longshoremen’s Association;
  - “(P) 1 representative from the International Longshore and Warehouse Union;
  - “(Q) 1 representative from a port authority;
  - “(R) 1 representative from a terminal operator;
  - “(S) representatives of the National Freight Advisory Committee of the Department; and
  - “(T) representatives of the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine.
- Recommendations: Not later than 1 year after the date of the enactment of the Transportation for Tomorrow Act of 2015, the working group commissioned under paragraph (2) shall submit its recommendations to the Director.
- Pg. 266 (d) ACCESS TO DATA: The Director shall ensure that—
    - “(1) the statistics compiled under this section—
      - “(A) are readily accessible to the public; and
      - “(B) are consistent with applicable security constraints and confidentiality interests; and
    - (2) the data acquired, regardless of source, shall be protected in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347)

## Motor Carrier Safety Topics

### Section 5101, Pg. 203 Motor Carrier Safety Grants to States

Amends section 31102 of USC 49. Describes efforts to consolidate motor carrier safety grants, and encourage states to develop plans and efforts to improve motor carrier safety.

### Section 5103, Pg. 215 Authorization of Appropriations

Amends 31110 of USC 49. Provides funding for FMCSA and guidance for use of funds.

### Section 5104, Pg. 216 CDL Program Implementation

Amends section 31313 of USC 49. Provides support for states to develop commercial driver licensing programs.

### Section 5015, Pg. 218 Extension of FMCSA Programs for FY 2016

Provides funding for continuation of existing FMCSA programming.

### **Section 5106, Pg. 219 Motor Carrier Safety Assistance Program Allocation**

Directs USDOT to establish a working group to develop new allocation formula for Motor Carrier Safety Assistance Program. Provides guidelines for interim formula and allocation.

### **Section 5202, Pg. 223 FMCSA Regulatory Reform (Regulations)**

Amends 31136 of USC 49. Requires FMCSA to perform regulatory impact analysis of proposed rules. Sets forth requirements for public participation and advance notice of rulemaking.

### **Section 5221, Pg. 227 Correlation Study**

Directs FMCSA to analyze the effectiveness of certain programs, and identify areas for improvement/correction.

### **Section 5222 Pg. 229 Beyond Compliance**

Directs USDOT to recognize motor carriers that engage in safety practices that exceed minimums established by FMCSA.

### **Section 5223 Pg. 230 Data Certification**

Provides guidelines on how and what information on motor vehicle crashes may be released to public.

### **Section 5225 Pg. 231 Accident Review**

Rules regarding review of preventable motor vehicle crashes.

### **Subtitle C, Pg. 232 Commercial Motor Vehicle Safety**

Assortment of laws related to safety reporting, and safety review of carriers.

### **Subtitle D, Pg. 235 Commercial Motor Vehicle Drivers**

Policies related to hiring practices, drug testing, and medical certification of motor vehicle drivers.

### **Subtitle E, Pg. 239 General Provisions**

Policies related to delays in goods movement, the Emergency Route Working Group, Household Goods Consumer Protection Working Group, application of advanced technology and data collection, and other miscellaneous items related to motor vehicle regulation, licensing, and operation.

## **Hazardous Materials Topics**

### **Section 7101, Pg. 277 Authorization of Appropriations**

Amends Section 5128 of USC 49. Provides funding for Hazardous Materials Emergency Preparedness Fund and Hazardous Materials Training Grants.

### **Section 7202. Pg. 278 Motor Carrier Safety Permits**

Limits how safety permits to motor carriers may be denied.

### **Section 7203. Pg. 278 Improving Effectiveness of Planning and Training Grants**

Describes grant program to develop emergency plans, and how grant funds may be used.

### **Section 7204, Pg. 281 Improving Publications of Special Permits and Approvals**

Amends Section 5117 of USC 49. Changes how USDOT discloses approval of special permits.



### **Section 7206, Pg. 281 Wetlines**

Forces USDOT to withdraw proposed rule related to piping on cargo tanks with flammable liquids

### **Section 7207, Pg. 281 GAO Study on Acceptance of Classification Examinations**

Directs GAO to write a report evaluating how USDOT creates its hazard classifications.

### **Section 7208, Pg. 282 Hazardous Materials Endorsement Exemption**

States may waive requirement for Class A CDL holders to obtain hazardous materials endorsement if the CDL holder is:

- acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and
- is operating a service vehicle that is—
  - transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and
  - clearly marked with a "flammable" or "combustible" placard, as appropriate.

### **Section 7301, Pg. 283 Community Safety Grants**

Amends Section 5107 of USC 49 to include a grant program for nonprofits conducting safety training and planning for responding to transportation of hazardous materials.

### **Section 7302, Pg. 283 Real-Time Emergency Response Information**

Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with appropriate Federal agencies, shall issue regulations that

- Pg. 283(a) Requires Class I railroads transporting hazardous materials to provide certain information
  - require a Class I railroad transporting hazardous materials
    - to generate accurate, real-time, and electronic train consist information, including—
      - the identity, quantity, and location of hazardous materials on a train;
      - the point of origin and destination of the train;
      - any emergency response information or resources required by the Secretary; and
      - an emergency response point of contact designated by the Class I railroad; and
    - to enter into a memorandum of understanding with each applicable fusion center to provide the fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in the jurisdiction of the fusion center;
  - require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to State and local first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an accident, incident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;
  - require each Class I railroad to provide advanced notification and information on high-hazard flammable trains to each State emergency response commission, consistent with the notification content requirements in Emergency Order Docket No. DOT-OST-2014-0067, including—

- a reasonable estimate of the number of implicated trains that are expected to travel, per week, through each county within the applicable State;
  - updates to such estimate prior to making any material changes to any volumes or frequencies of trains traveling through a county;
  - identification and a description of the Class 3 flammable liquid being transported on such trains;
  - applicable emergency response information, as required by regulation;
  - identification of the routes over which such liquid will be transported; and
  - a point of contact at the Class I railroad responsible for serving as the point of contact for State emergency response centers and local emergency responders related to the Class I railroad's transportation of such liquid.
- require each applicable State emergency response commission to provide to a political subdivision of a State, or public agency responsible for emergency response or law enforcement, upon request of the political subdivision or public agency, the information the commission receives from a Class I railroad pursuant to paragraph (3), including, for any such political subdivision or public agency responsible for emergency response or law enforcement that makes an initial request for such information, any updates received by the State emergency response commission.
  - prohibit any Class I railroad, employee, or agent from withholding, or causing to be withheld, the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials
  - establish security and confidentiality protections, including protections from the public release of proprietary information or security-sensitive information, to prevent the release to unauthorized persons any electronic train consist information or advanced notification or information provided by Class I railroads under this section; and
  - allow each Class I railroad to enter into a memorandum of understanding with any Class II railroad or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II railroad or Class III railroad's train consist information within the existing framework described in paragraph (1).

Pg. 284(b) DEFINITIONS:

- **APPLICABLE FUSION CENTER.**—The term “applicable fusion center” means a fusion center with responsibility for a geographic area in which a Class I railroad operates.
- **(2) CLASS I RAILROAD; CLASS II RAILROAD; CLASS III RAILROAD.**—The terms “Class I railroad”, “Class II railroad”, and “Class III railroad” have the meaning given those terms in section 20102 of title 49, United States Code.
- **(3) CLASS 3 FLAMMABLE LIQUID.**—The term “Class 3 flammable liquid” has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.
- **(4) FUSION CENTER.**—The term “fusion center” has the meaning given the term in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)).
- **(5) HAZARDOUS MATERIAL.**—The term “hazardous material” means a substance or material the Secretary designates as hazardous under section 5103 of title 49, United States Code.
- **(6) HIGH-HAZARD FLAMMABLE TRAIN.**—The term “high-hazard flammable train” means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

- (7) TRAIN CONSIST.—The term “train consist” includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

### **Section 7303, Pg. 285 Emergency Response**

Directs Comptroller General to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

### **Section 7304, Pg. 285 Phase Out of All Tank Cars Used to Transport Class 3 Flammable Liquids**

Requires all tank cars carrying Class 3 flammable liquids to meet specific DOT specifications. Provides specific dates of phase-out for certain classes of cars and certain types of liquids.

### **Section 7305, Pg. 286 Thermal Blankets**

Requires USDOT to make regulations requiring certain tank cars be equipped with insulating blankets.

### **Section 7306, Pg. 287 Minimum Requirements for Top Fittings Protection for Class DOT -117R Tank Cars**

Safety standards related to pressure relief devices on certain tank cars.

### **Section 7308, Pg. 289 Modification Reporting**

Requires reports on progress toward modifying tank cars transporting Class 3 flammable liquids.

### **Section 7310, Pg. 290 Hazardous Materials By Rail Liability Study**

Directs USDOT to initiate a study on the levels and structure of insurance for railroad carriers transporting hazardous materials.

### **Section 7311, Pg. 290 Study and Testing of Electronically Controlled Pneumatic Brakes**

The Comptroller General of the United States shall conduct an independent evaluation of ECP brake systems, pilot program data, and the Department’s research and analysis on the costs, benefits, and effects of ECP brake systems.