

119TH CONGRESS
1ST SESSION

S. _____

To amend title 23, United States Code, with respect to the highway safety improvement program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. VAN HOLLEN (for himself, Mr. JOHNSON, Ms. BALDWIN, Mr. HAGERTY, and Ms. ALSOBROOKS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 23, United States Code, with respect to the highway safety improvement 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 “Sarah Debbink
5 Langenkamp Active Transportation Safety Act”.

6 **SEC. 2. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

7 (a) HIGHWAY SAFETY IMPROVEMENT PROJECT.—

8 Section 148(a)(4)(B) of title 23, United States Code, is

9 amended—

1 (1) in clause (xxix), by striking “through
2 (xxviii)” and inserting “through (xxx)”;

3 (2) by redesignating clause (xxix) as clause
4 (xxxi); and

5 (3) by inserting after clause (xxviii) the fol-
6 lowing:

7 “(xxix) The connection of 2 or more
8 segments of existing bicyclist or pedestrian
9 infrastructure.

10 “(xxx) The reduction of safety risks to
11 vulnerable road users through a project or
12 strategy described in a program of projects
13 or strategies developed pursuant to sub-
14 section (l)(2)(B).”.

15 (b) FEDERAL SHARE OF CERTAIN HIGHWAY SAFETY
16 IMPROVEMENT PROJECTS.—

17 (1) IN GENERAL.—Section 148(j) of title 23,
18 United States Code, is amended—

19 (A) by striking “Except as provided in sec-
20 tions 120 and 130” and inserting the following:

21 “(1) IN GENERAL.—Except as provided in sec-
22 tions 120 and 130 and paragraph (2)”;

23 (B) by adding at the end the following:

24 “(2) EXCEPTION.—Notwithstanding any other
25 provision of law, the Federal share of the cost of a

1 highway safety improvement project carried out with
2 funds apportioned to a State under section
3 104(b)(3) may be up to 100 percent if the project
4 is a project described in clause (xxix) or (xxx) of
5 subsection (a)(4)(B).”.

6 (2) FLEXIBLE FINANCING.—Section 133(h)(7)
7 of title 23, United States Code, is amended—

8 (A) by redesignating subparagraph (C) as
9 subparagraph (E); and

10 (B) by striking subparagraph (B) and in-
11 serting the following:

12 “(B) FLEXIBLE FINANCING.—Notwith-
13 standing section 120—

14 “(i) the non-Federal share for a
15 project under this subsection may be cal-
16 culated on a project, multiple-project, or
17 program basis; and

18 “(ii) the Federal share of the cost of
19 an individual project under this subsection
20 may be up to 100 percent.

21 “(C) TREATMENT AS NON-FEDERAL
22 SHARE.—Notwithstanding any other provision
23 of law, funds made available to carry out sec-
24 tion 148 may be credited toward the non-Fed-

1 eral share of the costs of a project under this
2 subsection if—

3 “(i) the project includes a Proven
4 Safety Countermeasure for bicyclists or pe-
5 destrians, as determined by the Federal
6 Highway Administration;

7 “(ii) the relevant State strategic high-
8 way safety plan includes an emphasis area
9 related to vulnerable road users; or

10 “(iii) the proposed project—

11 “(I) was described in a program
12 of projects or strategies developed
13 pursuant to section 148(l); or

14 “(II) was identified by a local
15 government, metropolitan planning or-
16 ganization, or regional transportation
17 planning organization, including in a
18 safety plan described in subparagraph
19 (D), as addressing 1 or more areas of
20 high risk to vulnerable road users
21 during the consultation process re-
22 quired under section 148(l)(4)(B) and
23 through a planning process and data-
24 based analysis.

1 “(D) SAFETY PLANS DESCRIBED.—A safe-
2 ty plan referred to in subparagraph (C)(iii)(II)
3 is—

4 “(i) a pedestrian or bicyclist safety
5 plan;

6 “(ii) a Complete Streets plan;

7 “(iii) a local roadway safety plan;

8 “(iv) a Vision Zero Action Plan;

9 “(v) a transition plan described in
10 section 35.150(d) of title 28, Code of Fed-
11 eral Regulations (or successor regulations)
12 (commonly known as an ‘ADA Transition
13 Plan’);

14 “(vi) a Tribal transportation safety
15 plan;

16 “(vii) a comprehensive safety action
17 plan (as defined in section 24112(a) of the
18 Infrastructure Investment and Jobs Act
19 (23 U.S.C. 402 note; Public Law 117–
20 58)); or

21 “(viii) any other safety plan, as deter-
22 mined by the Secretary.”.

23 (3) INCREASED FEDERAL SHARE FOR PROVEN
24 SAFETY COUNTERMEASURES.—Section 120(c)(1) of
25 title 23, United States Code, is amended, in the first

1 sentence, by inserting “Proven Safety Counter-
2 measures for bicyclists or pedestrians (as determined
3 by the Federal Highway Administration),” before
4 “breakaway utility poles”.