

RECENT TRANSPORTATION LEGISLATION

This information is provided expressly for educational purposes. The CA/NV TTAP hopes to inform and educate tribal communities about legislation that may impact California and Nevada tribal communities and their tribal transportation programs. The following legislation was current at the time of publication. Legislation may change or be repealed. For further information, please check the status of the legislation at the respective website sources noted below.

STATE LEGISLATION



CALIFORNIA LEGISLATURE

(For more information, go to <http://www.leginfo.ca.gov/bilinfo.html>)

State Implementation of the American Recovery and Reinvestment Act of 2009,
Economic Recovery Pothole. Go to: <http://www.recovery.ca.gov/>

The California Legislature has adjourned until January 4, 2012.

New Laws Report-2011

A list of all bills enacted in a calendar year during the Regular Session of the Legislature. The list identifies the bill and chapter number, lead author, and the subject of the measure. All bills on the list become effective on January 1 following the year of enactment, unless otherwise noted.

To view the report go to: <http://www.leginfo.ca.gov/pdf/BillsEnactedReport2011.pdf>

TRIBAL LEGISLATION

Assembly Bill 241

Assembly Member Hall, introduced 2/3/11.

Status: 9/7/11 Enrolled and presented to the governor.

Existing law regulates legal gambling in California and prohibits, until January 1, 2015, the governing body and the electors of a county, city, or city and county from authorizing or expanding any legal gaming beyond that permitted on January 1, 1996. Additionally, the commission is prohibited, until January 1, 2015, from issuing a gambling license for a gambling establishment that was not licensed to operate on December 31, 1999, except as specified.

This bill would extend the operation of these provisions to January 1, 2020.

Assembly Bill 404

Assembly Member Gatto, introduced 2/17/11, amended in Senate 6/21/11.

Status: 6/30/11 referred to Committee on Education.

Existing law establishes the California Indian Heritage Center Task Force within the Department of Parks and Recreation. Existing law requires the task force to have certain duties and responsibilities including the responsibility of establishing and maintaining communication between tribes, museums, and local, state, and federal governmental agencies. This bill would authorize the Governor to appoint a liaison with tribal governments and communities whose duties would include, in consultation with Native American tribes and tribal members, offering assistance with Native American language preservation. The bill would establish the California Native American Language Preservation Fund in the State Treasury for the acceptance of private donations, to be made available upon appropriation by the Legislature, to

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facilitate statewide efforts to preserve Native American languages. The provisions establishing the fund and duties of the liaison would become operative on the date that the Office of the Governor notifies the Secretary of State that the Governor has appointed a liaison. The bill would also make various findings and declarations regarding Native American language preservation.

Assembly Bill 742

Assembly Member Nestande, introduced 2/17/11, amended in Senate 8/16/11.
Status: 8/23/11 referred to Senate Committee on Natural Resources and Water.

Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state. Existing law authorizes moneys in that fund to be used for specified purposes, including for grants for the support of state and local government agencies impacted by tribal government gaming.

Existing law, until January 1, 2021, creates a County Tribal Casino Account in the treasury of each county that contains a tribal casino.

Existing law requires the Controller to divide the County Tribal Casino Account for each county that has gaming devices that are subject to an obligation to make contributions to the Indian Gaming Special Distribution Fund into a separate account, known as an Individual Tribal Casino Account, for each tribe that operates a casino within the county. Each Individual Tribal Casino Account is required to be funded in proportion to the amount that each individual tribe paid in the prior fiscal year to the Indian Gaming Special Distribution Fund, and used for grants to local agencies impacted by tribal casinos, as specified.

Existing law establishes an Indian Gaming Local Community Benefit Committee in each county in which gaming is conducted, specifies the composition and responsibilities of that committee, and requires that committee to make the selection of grants from the casino accounts. Among other things, the committee is responsible for establishing all application policies and procedures for grants from the casino accounts.

This bill would require each grant application to clearly show how the grant will mitigate the impact of the casino on the grant applicant.

Existing law requires every state agency and local government agency to adopt and promulgate a Conflict of Interest Code applicable to enumerated positions within the agency and designated employees, as specified.

This bill would require each Indian Gaming Local Community Benefit Committee to adopt and approve a Conflict of Interest Code pursuant to these provisions. The bill would require any existing Conflict of Interest Code to be reviewed and amended as necessary to bring it into compliance with these requirements. By increasing the duties of local government entities, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Assembly Bill 787

Assembly Member Chesbro, introduced 2/17/11, amend in Assembly 3/31/11, amended in Senate 7/6/11.
Status: 8/15/11 referred to Senate Committee on Appropriations.

The Marine Life Protection Act (MLPA) establishes the Marine Life Protection Program to reexamine and redesign California's marine protected area system. Existing law requires the Department of Fish and Game to prepare, and the Fish and Game Commission to adopt, a master plan that guides the adoption and implementation of the program, including recommended alternative networks of marine protected areas. Under the MLPA, the taking of a marine species in a marine life reserve, a type of marine protected area, is prohibited for any purpose, including recreational and commercial fishing, except as authorized by the commission for scientific purposes.

This bill would require a member of a federally recognized Native American tribe in California who engages in noncommercial fishing, gathering, or other traditional cultural practices within the North Coast Study Region, as designated pursuant to the act, to possess a valid tribal identification card and comply with the plan for Native American fishing and gathering approved by the commission .

Assembly Bill 968

Assembly Member Chesbro, introduced 2/18/11.

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Status: 3/10/11 referred to Committee on Governmental Organization.

This bill instead would require all state agencies to cooperate with federally recognized California Indian tribes pursuant to these provisions. It would also require every state agency to adopt a policy of communication and consultation with, and require the Governor to meet at least annually with elected officials of, California Indian tribes, regardless of whether a tribe qualifies as a federally recognized California Indian tribe.

This bill would establish the position of Native American Advisor on Tribal Issues in the Governor's office, to be a member of a federally recognized California Indian tribe. It would require the advisor to serve as a resource to the Governor and state agencies on issues affecting California Indian tribes and be an advocate on behalf of all California Indian tribes, regardless of whether a tribe qualifies as a federally recognized California Indian tribe.

Assembly Bill 1039

Assembly Member Perea, introduced 2/18/11.

Status: 2/20/11 from printer. May be heard in committee March 22.

Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state. Existing law authorizes moneys in that fund to be used for specified purposes, including for grants for the support of state and local government agencies impacted by tribal government gaming. Existing law declares the intent of the Legislature to establish a fair and proportionate system to award those grants. This bill would declare the Legislature's intent to establish a fair and proportionate system to annually award those grants.

Assembly Bill 1221

Assembly Member Alejo, introduced 2/18/11, amended in Assembly 6/1/11, amended in Senate 6/28/11.

Status: 9/7/11 Passed Senate and Assembly to engrossing and enrollment.

Existing law, the Porter-Cologne Water Quality Control Act, authorizes the imposition and collection of civil and criminal penalties for specified violations of that act. The act requires certain moneys, including General Fund revenues of penalties, collected pursuant to these provisions to be deposited in the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund. The act continuously appropriates the money in the account to the State Water Resources Control Board for specified cleanup programs.

The act authorizes the state board, upon application by a public agency with authority to clean up or abate the effects of waste on waters of the state, to order moneys in the account to be paid to the agency to assist in cleaning up or abating the effects of the waste.

This bill would additionally authorize the state board to pay these moneys to tribes, as defined, *not-for-profit organizations serving disadvantaged communities, as defined*, that have authority to clean up or abate the effects of waste. By authorizing new expenditures from a continuously appropriated account, this bill would make an appropriation.

Assembly Bill 1417

Rep. Hall, introduced 3/21/11, amended in Senate 6/22/11.

Status: 9/7/11 to engrossing and enrolling.

Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state.

Existing law authorizes moneys in that fund to be used for specified purposes, including for grants for the support of state and local government agencies impacted by tribal government gaming.

This bill would appropriate \$18,200,000 from the Indian Gaming Special Distribution Fund to the California Gambling Control Commission to provide grants to local agencies.

Senate Bill 40

Senator Correa, introduced 12/6/10, amended in Senate 7/6/11.

Status: 7/6/11 read the second time, amended, and re-referred to the Committee on Governmental Organization.

The Gambling Control Act provides for the licensure of certain individuals and establishments that conduct controlled games, as defined, and for the regulation of these gambling activities by the California Gambling Control Commission. Ex-

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isting law provides for the enforcement of those regulations by the Department of Justice. Any violation of these provisions is punishable as a misdemeanor, as specified.

This bill would establish a framework to authorize intrastate Internet poker, as specified. The bill would require the department to adopt regulations, in consultation with the California Gambling Control Commission, governing the intrastate play of poker games on the Internet, and would provide for licensed entities to operate up to 5 intrastate Internet poker Web sites, as described below. The bill would make it a misdemeanor for any person or entity to offer or participate in any form of illegal Internet gambling, as defined, or to process any financial transaction arising out of participation in illegal Internet gambling.

Senate Bill 45

Senator Wright, introduced 12/8/10.

Status: 1/20/11 referred to Committee on Governmental Organization.

The Gambling Control Act provides for the licensure of certain individuals and establishments that conduct controlled games, as defined, and for the regulation of these gambling activities by the California Gambling Control Commission. Existing law provides for the enforcement of those regulations by the Department of Justice. Any violation of these provisions is punishable as a misdemeanor, as specified.

This bill would establish a framework to authorize intrastate Internet gambling, as specified. The bill would require the department to issue a request for proposals to enter into contract with up to 3 hub operators, as defined, to provide lawful Internet gambling games to registered players in California for a period of 20 years, as specified. The bill would provide that it would be a misdemeanor for any person to offer or play any gambling game provided over the Internet that is not authorized by the state pursuant to this bill. By creating a new crime, this bill would impose a state-mandated local program. The bill would require a hub operator to remit an agreed-upon percentage, but no less than 10%, of its gross revenues to the Treasurer on a monthly basis. The bill would also create the Internet Gambling Fund which would be administered by the Controller subject to annual appropriation by the Legislature, and which would not be subject to the formulas established by statute directing expenditures from the General Fund, for appropriation by the Legislature to state agencies .

Senate Bill 162

Senator Anderson, introduced 2/2/11, amended in Senate 5/16/11.

Status: 7/6/11 referred to Committee on Governmental Organization.

Existing law establishes the California Gambling Control Commission and requires the commission to establish a 10-member Gaming Policy Advisory Committee composed of representatives of controlled gambling licensees and members of the general public in equal numbers. Existing law requires the executive director of the commission to convene this advisory committee, from time to time, for the purpose of discussing recommended controlled gambling regulatory policy. Existing law grants the Attorney General the authority to structure the Department of Justice, pursuant to which the Bureau of Gambling Control was created within the department.

This bill would delete the requirement that the committee be composed of 10 members and would require that at least 3 members of the committee be members of the general public. The bill would require the advisory committee to meet at least twice a year and would require the commission and the Department of Justice to consult with the committee on recommended proposed regulations and would require the committee to present its recommendations to the Department of Justice.

Senate Bill 657

Senator Gains, introduced 2/18/11.

Status: 4/12/11 failed and reconsidered in Committee on Natural Resources and Water.

This bill would repeal the prohibition on the use of vacuum or suction dredge equipment, and would exempt the issuance of permits to operate vacuum or suction dredge equipment from the California Environmental Quality Act until January 1, 2014. The bill would require the department to refund a specified portion of the permit fee paid by a person issued a vacuum or suction dredge equipment permit and subject to the prohibition on the use of vacuum or suction dredge equipment. The bill would require the department, on or before January 1, 2014, to complete an economic impact report on the prohibition on the use of vacuum and suction dredge equipment. This bill would declare that it is to take effect immediately as an urgency statute.

Senate Bill 685

Senator Evans, introduced 2/18/11.

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Status: 8/31/11 referred to Committee on Natural resources and Water.

The Marine Life Protection Act (MLPA) establishes the Marine Life Protection Program to reexamine and redesign California's marine protected area system. Existing law requires the Department of Fish and Game to prepare, and the Fish and Game Commission to adopt, a master plan that guides the adoption and implementation of the program, including recommended alternative networks of marine protected areas. Under the MLPA, the taking of a marine species in a marine life reserve, a type of marine protected area, is prohibited for any purpose, including recreational and commercial fishing, except as authorized by the commission for scientific purposes.

This bill would authorize Native American tribes to submit proposals for comanagement of marine species within marine protected areas that are designated or proposed to be designated under the MLPA. The bill would require comanagement proposals to include prescribed information, and would require submission of the proposals to the Secretary of the Natural Resources Agency. The bill would authorize the secretary to request additional information before determining that a proposal is complete, and upon receipt of a proposal from the secretary, would require the Director of Fish and Game to consult with the tribe to develop memoranda of understanding or other agreements to, among other things, provide access to the tribe for traditional hunting and gathering and cultural activities. If multiple tribal governments or groups submit proposals to the secretary, the bill would require the secretary to prioritize the proposals for negotiation, as provided.

Senate Bill 833

Senator Vargas, introduced 2/18/11, amended in Senate 4/25/11.

Status: 9/7/11 pass Assembly and Senate to enrollment and Governor.

Existing law prohibits the operation of a solid waste facility without a solid waste facilities permit and prohibits a person from disposing of solid waste, causing solid waste to be disposed of, arranging for the disposal of solid waste, transporting solid waste, or accepting solid waste for disposal, except at a permitted solid waste disposal facility. A violation of the provisions prohibiting the disposal of solid waste is a crime.

This bill would prohibit a person from constructing or operating a solid waste landfill disposal facility located in the County of San Diego if that disposal facility is located within 1,000 feet of the San Luis Rey River or an aquifer that is hydrologically connected to that river and is within 1,000 feet of a site that is considered sacred or of spiritual or cultural importance to a tribe and is listed in the California Native American Heritage Commission Sacred Lands Inventory. The bill would require the enforcement agency to enforce a violation of this prohibition by the immediate issuance of a cease and desist order, thereby imposing a state-mandated local program by imposing a new duty upon local agencies.

The bill would make a declaration of legislative findings regarding why a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

Because a violation of this bill's requirements would be a crime, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for specified reasons.

TRANSPORTATION

Assembly Bill 66

Assembly Member Chesbro, introduced 12/13/10.

Status: 1/27/11 referred to Committee on Revenue and Taxation.

The Vehicle License Fee Law, in lieu of any ad valorem property tax upon vehicles, imposes an annual license fee for any vehicle subject to registration in this state in the amount of 1% of the market value of that vehicle, as provided, for a specified amount of time. Existing law also, until June 30, 2011, imposes an additional tax equal to 0.15% of the market value of specified vehicles, as determined by the Department of Motor Vehicles, to the vehicle license fee, to be deposited in the General Fund and transferred to the Local Safety and Protection Account, a continuously appropriated fund.

This bill would repeal the provision relating to the sunset date and repeal of the additional 0.15% tax, thereby depositing additional moneys into a continuously appropriated fund. This bill would declare that it is to take effect immediately as an urgency statute.

Assembly Bill 345

Assembly Member Atkins, introduced 2/10/11 amended 4/4/11, amended in Senate 6/29/11 and 6/30/11.

Status: 9/1/11 ordered to inactive file.

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Existing law requires the Department of Transportation to consult with local agencies before adopting rules and regulations prescribing uniform standards and specifications for official traffic control devices.

This bill would additionally require the department to consult with groups representing users of streets, roads, and highways, as defined. The bill would require the department to ensure that an advisory committee or group organized for the purposes of advising the department regarding standards and specifications for official traffic control devices includes representatives from groups representing nonmotorizing interests of users of streets, roads, and highways.

Assembly Bill 525

Assembly Member Gordon, introduced 2/15/11, amended 4/25/11, amended in Senate 8/30/11 and 9/1/11.

Status: 9/8/11 In Assembly. Concurrence in Senate amendments pending Senate amendments concurred in. To engrossing and enrolling.

The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is deposited in the California Tire Recycling Management Fund for expenditure, upon appropriation by the Legislature, for the purposes of programs related to waste tires, including grants to local entities involved in activities that result in reduced landfill disposal of used whole tires. The act requires the Department of Resources Recycling and Recovery to adopt a 5-year plan, which is to be updated biennially, to establish goals and priorities for waste tire programs.

This bill would require the department to provide outreach to local agencies regarding a program it may establish under existing law to award grants to cities, counties, and other local government agencies for the funding of public works projects that use waste tires. The bill would *require* the amount appropriated for this purpose from the fund to not be less than 16% of the amount of the funds appropriated for market development and new technology activities for used tires and waste tires. The bill would make the public works waste tire grant program inoperative on June 30, 2015, and would repeal the provision authorizing this program on January 1, 2016. The bill would also make conforming changes with regard to the department's 5-year plan.

Assembly Bill 789

Assembly Member Chesbro, introduced 2/16/11

Status: 5/2/11 referred to Committee on Natural Resources.

The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is deposited in the California Tire Recycling Management Fund for expenditure, upon appropriation by the Legislature, for the purposes of programs related to waste tires, including grants to local entities involved in activities that result in reduced landfill disposal of used whole tires. The act requires the Department of Resources Recycling and Recovery to adopt a 5-year plan, which is to be updated biennially, to establish goals and priorities for waste tire programs.

This bill would require the department to provide outreach to local agencies regarding a program it may establish under existing law to award grants to cities, counties, and other local government agencies for the funding of public works projects that use waste tires in public works projects, as provided. The bill would prohibit the amount appropriated from the fund for this purpose from being less than 16% of the amount of the funds appropriated for market development and new technology activities for used tires and waste tires. The bill would make the public works waste tire grant program inoperative on June 30, 2015, and would repeal the provision authorizing this program on January 1, 2016. The bill would also make conforming changes with regard to the department's 5-year plan.

Senate Bill 910

Sen. Lowenthal, introduced 2/18/11, amended 5/10/11.

Status: 9/8/11 ordered to engrossing and enrollment.

Under existing law, a driver of a vehicle overtaking another vehicle or a bicycle proceeding in the same direction is required to pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle or bicycle, subject to certain limitations and exceptions. A violation of this provision is an infraction punishable by a fine not exceeding \$100 for a first conviction, and up to a \$250 fine for a 3rd and subsequent conviction occurring within one year of 2 or more prior infractions.

This bill would recast this provision as to overtaking a bicycle by requiring the driver of a motor vehicle overtaking a bicycle that is proceeding in the same direction to pass at a safe distance, at a minimum clearance of 3 feet, or at a speed not exceeding 15 miles per hour faster than the bicycle, without interfering with the safe operation of the overtaken

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bicycle. The bill would make a violation of this provision an infraction punishable by a \$35 fine. *The bill would also require the imposition of a \$220 fine on a driver if a collision occurs between a motor vehicle and a bicyclist causing bodily harm to the bicyclist, and the driver is found to be in violation of the above provisions.*

Existing law prohibits a person from driving a vehicle to the left of double parallel solid lines, or double parallel lines, one of which is broken, except as provided. Notwithstanding that prohibition, existing law permits a driver to cross those double parallel lines if the driver is turning to the left at any intersection or into or out of a driveway or private road or making a U-turn under the rules governing that turn.

This bill would additionally permit a driver to cross those double parallel lines if the driver is on a substandard width lane, *as described*, passing a person riding a bicycle or operating a pedicab in the same direction, and it is safe to do so.

Senate Bill 929

Sen. Evans, introduced 2/18/11, amended 4/25/11.

Status: 9/7/11 enrolled and sent to the Governor.

Existing law prohibits a person from operating a motor vehicle, as defined, on a highway unless that person and all passengers 16 years of age or older are properly restrained by a safety belt. Existing law also makes various legislative findings and declarations with regard to the need for a mandatory seat belt law.

This bill would delete those legislative findings and declarations relating to the need for a mandatory seat belt law.

Existing law requires a child or ward under the age of 6 years who weighs less than 60 pounds to be secured in a rear seat in a child passenger restraint system that meets specified federal standards, but permits such a child or ward to ride in the front seat of a motor vehicle if properly secured in a child passenger restraint system that meets specified federal standards, under specified circumstances, including, among other things, if all rear seats are already occupied by children under the age of 12 years.

This bill would instead, permit a child or ward under the age of 6 years who weighs less than 60 pounds to ride in the front seat of a motor vehicle, if the child is properly secured in a child passenger restraint system that meets specified federal standards, if all rear seats are already occupied by children under the age of 8 years.

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NEVADA LEGISLATION

State Implementation of the American Recovery and Reinvestment Act of 2009

Nevada's Federal Stimulus Funds Website Go to:

<http://www.leg.state.nv.us/75th2009/federalstimulus/>

There are a number of bills introduced that have been halted by the following action: Apr 16, 2011 - (Pursuant to Joint Standing Rule No. 14.3.1, no further action allowed.) . For more information and to view any of these bills go to the Nevada Legislative Portal at: <http://www.leg.state.nv.us/bills/bills.cfm>

The 76th (2011) Nevada Legislative Session has ended.

All bill that became law can be found at:

<http://www.leg.state.nv.us/Session/76th2011/Reports/AllBillsThatBecameLaw.cfm>

Senate Bill 83

Introduced by the Committee on Transportation on 12/15/2010.

Status: 6/7/11 no further action taken.

Relating to transportation; authorizing the Department of Transportation to enter into a public-private partnership to plan, design, construct, improve, finance, operate and maintain an eligible transportation facility; authorizing the Board of Directors of the Department of Transportation to establish user fees, administrative fines and other penalties and charges relating to the use of such a facility; providing for the disposition of money which is received and is to be retained by the Department of Transportation pursuant to a public-private partnership; providing that such money must first be used to defray the obligations of the Department of Transportation under the public-private partnership; making provisions regarding taxation of leasehold interests, possessory interests, beneficial interests and beneficial use of exempt property inapplicable to property used by a public-private partnership; requiring the Department of Motor Vehicles to place a hold on the renewal of the registration of a motor vehicle of a registered owner who fails to pay such a user fee; authorizing the Department of Motor Vehicles to establish certain administrative fees; revising provisions governing designbuild projects of the Department of Transportation; authorizing the Department of Transportation to approve, upon request, the construction of a toll bridge or toll road by a person; and providing other matters properly relating thereto.

Senate Joint Resolution 3

Introduced by Natural Resources 2/4/11.

Status: 6/6/11 File no.41.

That the members of the 76th Session of the Nevada Legislature urge Congress and the Nevada Congressional Delegation to enact legislation requiring the Secretary of the Interior to convey ownership of federal land located in Nevada from the Federal Government to Nevada to help fund education for the residents of Nevada and to put the education system of Nevada in parity with that of the other states in the United States.

Senate Joint Resolution 4

Introduced to the Senate by Natural Resources on 2/10/11.

Status: 5/27/11 enrolled and delivered to the Secretary of State.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the members of the 76th Session of the Nevada Legislature hereby urge Congress:

1. To ensure that the public lands in Nevada that are managed and controlled by the Federal Government remain open to multiple uses; and

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2. To enact legislation ensuring that the State of Nevada and the affected local governments in Nevada receive a portion of the revenue received by the Federal Government for activities conducted on the federal public lands in Nevada and ensuring that such sharing includes, without limitation, the reinstatement and continuation of federal laws and policies whereby local governments receive appropriate rents and royalties for activities which generate electricity from geothermal resources.



FEDERAL LEGISLATION

(For more information go to: <http://Thomas.loc.gov>)

TRIBAL

House Resolution 72

Rep Jackson Lee [TX18], introduced 1/5/11.

Status: 2/25/11 referred to Subcommittee on Higher Education and Workforce Training.

New Jobs for America Act of 2011 - Directs the Secretary of Labor, subject to the availability of appropriations, to make grants to state and local governments and Indian tribes to carry out employment training programs to aid unemployed individuals in securing employment in a new area of expertise, particularly in emerging markets and industries (such as green technologies).

House Resolution 205

Rep. Heinrich [NM1], introduced 1/6/11.

Status: 1/26/11 referred to Subcommittee on Indians and Alaska Natives Affairs.

Helping Expedite and Advance Responsible Tribal Home ownership Act of 2011 or HEARTH Act of 2011 - Extends to any Indian tribe the discretion granted under current law only to the Navajo Nation to lease restricted lands for business, agricultural, public, religious, educational, recreational, or residential purposes without the approval of the Secretary of the Interior. (The Secretary must still approve the tribal regulations under which those leases are executed and mining leases still require

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the Secretary's approval.)

Sets forth the environmental review process required under tribal lease regulations before those regulations obtain the Secretary's approval. Requires the process to identify and evaluate any significant effects a proposed lease may have on the environment and allow public comment on those effects.

Allows tribes to rely on a federal environmental review process rather than the tribal environmental review process if the project under review is federally funded.

House Resolution 536

Rep. Cole [OK4], introduced 2/8/11.

Status: 2/18/11 referred to Subcommittee on Health.

Indian Healthcare Improvement Act of 2011 - Reaffirms existing amendments to the Indian Health Care Improvement Act and certain other provisions of law relating to health care for Native Americans.

Prohibits federal funds provided by those amendments from being used to pay for any abortion or to cover any part of the costs of any health plan that covers abortion, except when a women's life would otherwise be endangered or the pregnancy is the result of rape or incest.

House Resolution 551

Rep. Johnson [TX30], introduced 2/8/11.

Status: 2/9/11 referred to Subcommittee on Highways and Transit.

Authorizes the Secretary of Transportation to approve, through December 31, 2016, a request by a state to provide state public transportation and federal-aid highway project funds to federal agencies (including the Department of Transportation), state agencies, and Indian tribes participating in the environmental review process or approved state process for such projects to support activities that contribute to expediting and improving project planning and delivery in the state.

House Resolution 870

Rep. Conyers [MI14], introduced 3/2/11.

Status: 3/21/11 referred to the Subcommittee on Higher Education and Workforce Training.

Humphrey-Hawkins 21st Century Full Employment and Training Act or Work Opportunities and Revitalizing Our Communities Act - Directs the Secretary of Labor to establish a Full Employment National Trust Fund with two separate accounts for: (1) Employment Opportunity Grants to states, local governments, and Indian tribes for job-creating activities in communities whose economy is not at a level of full employment; and (2) Workforce Investment programs.

Directs the Secretary to convene a national employment conference to bring together leaders of small, medium, and large businesses, labor, government, and other parties to discuss employment, with particular attention to structural unemployment and the plight of disadvantaged youth.

Amends the Workforce Investment Act of 1998 to revise member composition requirements for state and local workforce investment boards to include at least 25% of the chief executive officers of minority-serving, community-based organizations.

Amends the Internal Revenue Code to impose a tax on certain covered securities transactions, payable by trading facilities that deal in such transactions.

House Resolution 1234

Rep. Kildee [MI5], introduced 3/29/11. Related Bills 1291 and Senate bill 676.

Status: 7/12/11 referred to the Subcommittee Indian and Alaska Native Affairs. Hearings held.

Amends the Act commonly known as the Indian Reorganization Act to apply the Act to all federally recognized Indian tribes, regardless of when any tribe became recognized. (This effectively overrules the Supreme Court's decision in *Carcieri v. Salazar*, which held that the Secretary of the Interior could not take land into trust for a specified tribe because that tribe had not been under federal jurisdiction when the Act was enacted.) Ratifies and confirms any action taken by the Secretary pursuant to such Act for any Indian tribe that was federally recognized on the date of that action.

House Resolution 1291

Rep. Cole [OK4], introduced 3/31/11 Related Bills: 1234 and Senate bill 676.

Status: 7/12/11 referred to the Subcommittee Indian and Alaska Native Affairs. Hearings held.

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Amends the Act commonly known as the Indian Reorganization Act to except lands in Alaska from the Secretary of the Interior's authority to acquire any interest in lands, water rights, or surface rights to lands, within or without existing reservations, for the purpose of providing land for Indians. Applies that Act to all federally recognized Indian tribes, regardless of when any tribe became recognized. (This effectively overrules the Supreme Court's decision in *Carciere v. Salazar*, which held that the Secretary could not take land into trust for a specified tribe because that tribe had not been under federal jurisdiction when the Act was enacted.)

House Resolution 1953

Rep. Rahall [WVA3], introduced 5/24/11.

Status: 5/25/11 referred to Subcommittee on Economic Development, Public Buildings and Emergency Management.

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration.

House Continuing Resolution 8

Rep. Serrano [NY16], introduced 1/7/11.

Status: 1/7/11 referred to the House Committee on Education and the Workforce.

Declares that the U.S. government should pursue English-plus policies that: (1) encourage all residents of this country to become fully proficient in English by expanding educational opportunities and access to information technologies; (2) conserve and develop the nation's linguistic resources by encouraging all residents of this country to learn or maintain skills in languages other than English; (3) assist Native Americans, Native Alaskans, Native Hawaiians, and other peoples indigenous to the United States in their efforts to prevent the extinction of their languages and cultures; (4) continue to provide services in languages other than English as needed to facilitate access to essential functions of government, promote public health and safety, ensure due process, promote equal educational opportunity, and protect fundamental rights; and (5) recognize the importance of multilingualism to vital American interests and individual rights, and oppose English-only measures and other restrictionist language measures.

Senate Bill 61

Sen Inouye [HI], introduced 1/25/11.

Status: 1/25/11 read twice and referred to the Committee on Indian Affairs.

Native American Economic Advisory Council Act of 2011 - Establishes the Native American Economic Advisory Council to assist the Executive Office of the President and federal agencies to ensure that Native Americans have: (1) the means and capacity to benefit from economic stimulus and growth, and (2) opportunities to participate in federal economic development and job growth programs.

Directs the Council to: (1) prepare a compilation of successful business enterprises and joint ventures conducted by Native American organizations, including ventures of Native Corporations in Alaska; and (2) periodically sponsor and arrange conferences and training workshops on Native American business activities.

Requires the Director of the Office of Management and Budget (OMB) and the head of a federal agency, in preparing the President's comments and recommendations to Congress about proposed legislation, to include an assessment of the legislation's economic impact on Native Americans.

Senate Bill 161

Sen. Boxer [CA], introduced 1/25/11.

Status: 5/11/11 referred to Subcommittee on National Parks. Hearings held.

Pinnacles National Park Act - Establishes Pinnacles National Park in California to: (1) preserve and interpret the Park's ecosystems and the history of Native Americans, settlers, and explorers, and (2) interpret the recovery program for the California Condor.

Abolishes Pinnacles National Monument and includes the land and any interests comprising the Monument in the Park.

Authorizes the Secretary of the Interior to acquire lands or interests within the Park's boundaries and approximately 18,200 acres of land in San Benito County, California, known as the Rock Springs Ranch Tract.

Redesignates the Pinnacles Wilderness as the Hain Wilderness.

Designates specified lands comprising approximately 2,715 acres as wilderness and as a component of the National Wilder-

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ness Preservation System and includes such lands in the Hain Wilderness.

Senate Bill 619

Sen. Udall [NM], introduced 3/17/11.

Status: 3/17/11 read twice and referred to the Committee on Health, Education, Labor, and Pensions.

STEM Support for Teachers in Education and Mentoring (STEM) Act or STEM 2 Act - Amends the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to award competitive planning grants to states, Indian tribes or tribal organizations, nonprofit organizations, or institutions of higher education to develop effective state or tribal science, technology, engineering, and mathematics (STEM) networks that coordinate STEM education efforts by: (1) facilitating communication and collaboration among public and private STEM stakeholders, and (2) identifying STEM occupational skills needed in the future.

Directs the Secretary to award competitive grants to states, Indian tribes or tribal organizations, local educational agencies, institutions of higher education, or nonprofit organizations to develop, implement, and evaluate STEM education training programs for teachers and administrators in elementary, middle, and secondary schools.

Requires the Secretary to establish a national panel to identify and recommend the most effective STEM curricula models for kindergarten through grade 12.

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House Resolution 229

Re. Jackson Lee [TX18], introduced 1/7/11.

Status: 1/10/11 referred to Subcommittee on Highways and Transit.

Michael Jon Newkirk Transportation Safety Enhancement Act of 2011 - Directs the Secretary of Transportation (DOT) to withhold a graduated percentage of federal-aid highway funds of states for FY2014 and thereafter that do not enact or enforce a law that requires the annual inspection of registered motor vehicles so that they meet or exceed state motor vehicle standards (including the operability of vehicle seatbelts and speedometers).

House Resolution 348

Re. Sensenbrenner [WI5], introduced 1/19/11.

Status: 1/20/11 referred to Subcommittee on Highways and Transit.

Prohibits the Administrator of the Federal Highway Administration from requiring the replacement of street and highway signs that are in upper case letters with signs that are in mixed case lettering with the initial letter in upper case followed by lower case lettering.

House Resolution 494

Rep. Kaptur [OH9], introduced 1/26/11.

Status: 1/26/11 referred to House Committee on Education and the Workforce.

21st Century Civilian Conservation Corps Act - Authorizes the President, in order to relieve widespread unemployment, restore depleted natural resources in the United States, and advance public works programs, to establish a Civilian Conservation Corps to employ unemployed or underemployed U.S. citizens in the construction, maintenance, and carrying on of works of a public nature, such as forestation of U.S. and state lands, prevention of forest fires, floods, and soil erosion, and construction and repair of National Park System paths and trails.

Authorizes the President to extend Corps activities to state- and private- owned lands to prevent and control forest fires and floods and attacks of forest tree pests and diseases.

Requires the President, based on certain criteria, to give preference to the employment of additional persons in the Corps in the following order: (1) unemployed Armed Forces veterans (including Reserve members); (2) unemployed U.S. citizens who have exhausted their unemployment compensation; (3) unemployed U.S. citizens who are eligible for unemployment compensation immediately before employment in the Corps, including any additional compensation or extended compensation; and (4) other unemployed or underemployed U.S. citizens.

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Authorizes the President to provide housing and transportation for Corps employees. Prohibits discrimination in the hiring of Corps employees.

House Resolution 551

Rep. Johnson [TX30], introduced 2/8/11.

Status: 2/9/11 referred to Subcommittee on Highways and Transit.

Authorizes the Secretary of Transportation to approve, through December 31, 2016, a request by a state to provide state public transportation and federal-aid highway project funds to federal agencies (including the Department of Transportation), state agencies, and Indian tribes participating in the environmental review process or approved state process for such projects to support activities that contribute to expediting and improving project planning and delivery in the state.

House Resolution 619

Rep. Boswell [IA3], introduced 2/10/11.

Status: 2/11/11 referred to Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Surface Transportation Savings Act of 2011 - Rescinds specified amounts authorized for FY2010 and for October 1, 2010-March 4, 2011, under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for: (1) safety belt performance grants; (2) administrative expenses of the National Highway Traffic Safety Administration (NHTSA); (3) the National Driver Register; (4) NHTSA operations and research; and (5) transit formula and bus grants.

House Resolution 632

Rep. Flake [AZ6], introduced 2/10/11.

Status: 2/11/11 referred Subcommittee on Highways and Transit.

Highway Fairness and Reform Act of 2011 - Directs the Secretary of Transportation, beginning with FY2011, to carry out a direct federal-aid highway program to permit a state governor or chief executive officer, at least 90 days before the beginning of a fiscal year, to elect to: (1) waive the state's right to receive apportioned or allocated funds under the federal-aid highway program, and (2) receive instead a prorated amount of the taxes appropriated to the Highway Trust Fund (other than from the Mass Transit Account) which are attributable to highway users in the state. Requires a pro rata reduction of such tax-equivalent amount in order to fund contract authority for programs of the National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA).

Requires the Secretary to accept a state's election if: (1) the state has an interstate maintenance program; (2) it submits a plan describing the purposes, projects, and uses to which such amounts will be put and the federal-aid highway programmatic requirements the state elects to continue; (3) the state agrees to obligate program amounts exclusively for projects that would be eligible for surface transportation program funding; and (4) it continues to suballocate surface transportation program funds to urbanized and other areas using certain formulae and rules.

House Resolution 708

Rep. Shuster [PA9], introduced 2/15/11.

Status: 2/16/11 referred to Subcommittee on Highways and Transit.

Safe Highway Markings Act of 2011 - Prescribes standards for glass beads used in pavement markings, limiting the arsenic or lead content to 200 parts per million.

Requires the Secretary of Transportation to withhold up to 5% of the apportionment of federal-aid highway funds for any state that fails to enforce requirements to ensure that glass beads used in pavement markings on or along federal-aid highway roads or highways do not contain more than 200 parts per million arsenic or lead.

House Resolution 737

Rep. Todd [MO2], introduced 2/16/11.

Status: 2/17/11 referred to Subcommittee on Highways and Transit.

Repeals the Paul S. Sarbanes Transit in Parks Program.

House Resolution 825

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Rep. Rahall [WVA3], introduced 2/28/11.

Status: 3/1/11 referred to Subcommittee on Highways and Transit.

Surface Transportation Safety Act of 2011 - Directs the Secretary of Transportation to modify certain federal regulations to: (1) allow fire services personnel to wear high visibility apparel meeting certain requirements, and (2) ensure that positive protective measures (including temporary longitudinal traffic barriers) are used to separate workers on highway construction projects from motorized traffic.

Directs the Secretary to approve the use of federal-aid highway funds by a state for patented or proprietary items that further the goals of state strategic highway safety plans.

Revises requirements for the highway safety improvement program to count installation, replacement, and upgrade of highway signs and pavement markings as a highway safety improvement project. Authorizes: (1) states to obligate highway safety improvement program funds apportioned to them for projects to maintain minimum levels of retroreflectivity in highway signs or pavement markings on public roads, whether or not such projects are included in state plans; and (2) a federal share of costs of 100% for such projects.

Directs the Secretary to: (1) carry out a program to improve traffic signs and pavement markings for older drivers and pedestrians in all states; (2) review the safety of all highway-rail grade crossings in the United States and, based on such review, compile a list of the ten highway-rail grade crossings having the greatest need for safety improvements; (3) establish a national database of information on the safety of highway-rail grade crossings in the United States; and (4) allocate \$20 million to each state with a population density of less than 20 persons per square mile for each fiscal year beginning with FY2011 for rural highway safety improvement projects.

House Resolution 904

Rep. Sensenbrenner [WI5], introduced 3/3/11.

Status: 3/4/11 referred to Subcommittee on Highways and Transit.

Prohibits the Secretary of Transportation (DOT) from providing grants or funds to a state, county, town, or township, Indian tribe, municipal, or other local government for use in any program to check helmet usage or create checkpoints for a motorcycle driver or passenger.

House Resolution 995

Rep. Carnahan [MO3], introduced 3/10/11.

Status: 3/11/11 referred to Subcommittee on Highways and Transit.

Smart Technologies for Communities Act - Directs the Secretary of Transportation (DOT) to establish the Smart Communities Technology Initiative to provide grants to eligible entities to develop pilot programs to serve as model deployment sites for large scale installation and operation of intelligent transportation systems (ITS) to improve safety, efficiency, system performance, and return on investment.

House Resolution 1064

Rep. Boswell [IA3], introduced 3/14/11.

Status: 3/15/11 referred to Subcommittee on Highways and Transit.

This Act may be cited as the 'Surface Transportation Savings Act of 2011'. To rescind amounts for certain surface transportation programs. All funds rescinded by this Act shall be used for the purpose of deficit reduction.

House resolution 1515

Rep. Bishop [NY1], introduced 4/13/11.

Status: 4/14/11 referred to Subcommittee on Highways and Transit.

To provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements. A State is in compliance with this section if the State has a graduated driver licensing law that requires novice drivers younger than 21 years of age to comply with the 2-stage licensing process described before receiving an unrestricted driver's license.

House Resolution 1776

Rep. Altmire [PA4], introduced 5/5/11.

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Status: 5/6/11 referred to Subcommittee on Highways and Transit.

This Act may be cited as the 'Older Driver and Pedestrian Safety and Roadway Enhancement Act of 2011'. To direct the Secretary of Transportation to carry out a program to improve roadway safety infrastructure in all States to enhance the safety of older drivers and pedestrians, and for other purposes.

House Resolution 1780

Rep. Matsui [CA5], introduced 5/5/11.

Status: 5/6/11 referred to Subcommittee on Highways and Transit.

This Act may be cited as the 'Safe and Complete Streets Act of 2011'. To ensure the safety of all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, as they travel on and across federally funded streets and highways.

House Resolution 1795

Rep. DeFazio [OR4], introduced 5/6/11.

Status: 5/13/11 referred to Subcommittee on Governmental Organization, Efficiency, and Financial Management.

This Act may be cited as the 'Providing Gas Price Relief Through Public Transportation Act of 2011'. To promote increased public transportation use, to promote increased use of alternative fuels in providing public transportation, and for other purposes.

House Resolution 2107

Rep. Michaud [ME2], introduced 6/3/11.

Status: 6/6/2011 referred to the Subcommittee on Highways and Transit.

This Act may be cited as the 'High Risk Rural Roads Safety Act of 2011'.

IN GENERAL.—The Secretary shall carry out a program to improve the safety of high risk rural roads.

House Resolution 2113

Rep Hirono [HI2], introduced 6/3/2011.

Status: 6/6/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

Transportation Infrastructure Improvements on Federal Lands Act of 2011 - Makes eligible for federal-aid highway assistance preventive maintenance activities on federal lands highways the appropriate federal land management agency demonstrates to the satisfaction of the Secretary of Transportation (DOT) are a cost-effective means of extending the useful life of such a highway.

Authorizes the use of Federal Lands Highway Program funds for: (1) trails used primarily for transportation; and (2) maintenance of highways, roads, parkways, and trails used primarily for transportation located on public lands, national parks, and Indian reservations, provided such maintenance will improve the asset management of such facilities.

Sets the federal share of the cost of a high priority project located on public lands or an Indian reservation, or in a national park or wildlife refuge, at 100%.

Makes eligible for federal-aid highway assistance any projects in the vicinity of a federally owned or managed park, refuge, or recreational area open to the general public (Paul S. Sarbanes Transit in Parks Program) that: (1) are part of an alternative transportation program in which implementation is expected to last more than one year; or (2) involve capital investment grants financing operating costs of fixed guideway projects and systems, buses and related equipment, and bus-related facilities for which capital investment grant assistance has been provided.

Earmarks 60% of funds made available to the Paul S. Sarbanes Transit in Parks Program each fiscal year for qualified alternative transportation projects in national parks.

House Resolution 2129

Rep Engel [NY17], introduced 6/3/2011.

STATUS: 6/6/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

Drunk Driving Repeat Offender Prevention Act of 2011 - Directs the Secretary of Transportation (DOT) to withhold speci-

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fied graduated percentages of a state's apportionment of certain federal-aid highway funds for FY2014-FY2016 if the state has not enacted and is not enforcing a law requiring the installation of an ignition interlock device for a minimum of 180 days on each motor vehicle operated by an individual convicted of driving while intoxicated or driving under the influence (having a blood alcohol concentration of 0.08% or greater).

House Resolution 2160

Rep Richardson [CA37], introduced 6/14/2011.

Status: 6/15/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

Jobs Through Environmental Safeguarding and Streamlining Act of 2011 - Revises requirements for the mandatory joint determination by the Administrator of the Environmental Protection Agency (EPA) and the Secretary of Transportation (DOT), with respect to the eligibility for state reimbursement of the federal share of state costs for the advance acquisition of highway rights-of-way for a project eligible for surface transportation program funds, that such advanced acquisition did not influence the environmental assessment of the project, the decision to construct the project, or the selection of the project design or location. Removes the EPA Administrator from this joint determination, leaving the Secretary alone to make it.

Authorizes the Secretary to encourage states and other public authorities, where practicable, to acquire broad transportation rights-of-way that have a capacity for future expansion over a 50- to 100- year period to accommodate the state's long-range transportation needs as well as one or more transportation modes.....

House Resolution 2257

Rep Fleischmann [TN3], introduced 6/21/2011

Status: 6/22/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

Waives compliance with Federal Highway Administration (FHWA) minimum retroreflectivity standards by existing traffic control devices on or before the compliance dates established by the FHWA. Exempts from this waiver (thus requiring compliance with such standards by) traffic control devices installed on or after enactment of this Act.

(Replacement of regulatory, warning, and post-mounted guide [except street name] signs is required by January 22, 2015. Replacement of street name signs and overhead guide signs is required by January 22, 2018.)

House Resolution 2333

Rep McCarthy [NY4], introduced 6/23/2011.

Status: 6/24/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

Safe Drivers Act of 2011 - Directs the Secretary of Transportation (DOT) to study distracted driving, including cognitive distraction when driving and driver distraction impacts on young, inexperienced drivers.

Requires the Secretary to withhold 25% of a state's apportionment of certain federal-aid highway program funds for the fiscal year if the state has not enacted or is not enforcing a law that: (1) prohibits, except in an emergency, an operator of a moving or idling motor vehicle on a public road from using a hand-held mobile device (other than a voice-activated, vehicle-integrated or similar device, or a global positioning system [GPS] which is not vehicle-integrated); and (2) requires, upon conviction of a violation of such prohibition, the imposition of certain minimum penalties.

House Resolution 2370

Rep Barrow [GA12], introduced 6/24/2011.

Status: 6/27/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Water Resources and Environment.

Directs the Chief of Engineers to develop a Veterans' Curation Program to hire veterans and members of the Armed Forces to assist in carrying out curation and historic preservation activities.

House Resolution 2442

Rep Cravaack [MN8], introduced 7/7/2011.

Status: 7/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

(a) Finding- Congress finds that it should be the responsibility of State and local governments to ensure that their traffic signs provide necessary levels of retroreflectivity.

(b) General Rule- The Secretary of Transportation may not issue, implement, or enforce a minimum retroreflectivity level standard for a traffic control device that is applicable to a State or local government.

(c) Modification of Manual on Uniform Traffic Control Devices for Streets and Highways- The Secretary shall modify the Manual on Uniform Traffic Control Devices for Streets and Highways, 2009 Edition (incorporated by reference in part 655 of

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title 23, Code of Federal Regulations), to eliminate the minimum retroreflectivity level standards for traffic control devices contained in section 2A.08 of such Manual and the schedule for the implementation of such standards contained in table I-2 of such Manual.

House Resolution 2459

Rep Crawford [AR1], introduced 7/8/2011.

Status: 7/9/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

Safe Roads Act of 2011 - Directs the Secretary of Transportation (DOT) to establish a national clearinghouse for verified positive alcohol and controlled substance test results and test refusals as well as violations of Federal Motor Carrier Safety Administration (FMCSA) alcohol and controlled substances regulations of commercial motor vehicle operators. Prohibits the release of clearinghouse information to a commercial motor carrier employer unless there has been compliance with all applicable federal privacy laws and regulations.

Authorizes the Secretary to collect fees from such employers and other authorized users for informational requests.

Prohibits an employer from hiring an individual to operate a commercial motor vehicle unless the employer has determined that the individual, for the preceding three-year period, has: (1) been tested for use of alcohol and controlled substances; (2) not tested positive for their use, or tested positive but has completed the return-to-duty process; (3) not refused to be tested; and (4) not violated FMCSA alcohol and controlled substances regulations.

Directs the Secretary to establish a process: (1) to require employers to request and review any clearinghouse records of individuals before their employment as a commercial motor vehicle operator and for each year thereafter as long as the individual is so employed; and (2) for an individual and a state licensing authority to request and receive information from the clearinghouse.

Subjects persons who violate the requirements of this Act to both civil and criminal penalties.

Requires the Secretary to take certain actions to enhance DOT oversight of testing sites.

House Resolution 2575

Rep Wilson [FL17], introduced 7/18/2011.

Status: 7/19/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

To amend title 23, United States Code, to require the Secretary of Transportation to withhold a portion of Federal-aid Highway funds apportioned to a State unless the State enacts and implements a law establishing penalties for using a cell phone to make telephone calls or text while driving with a minor in the vehicle.

House Resolution 2738

Rep Capps [CA23], introduced 8/1/2011.

Status: 8/3/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Water and Power.

To authorize the Administrator of the Environmental Protection Agency to establish a program of awarding grants to owners or operators of water systems to increase resiliency or adaptability of the systems to any ongoing or forecasted changes to the hydrologic conditions of a region of the United States.

House Resolution 2850

Rep Richardson [CA37], introduced 9/7/2011.

Status: 9/7/2011 Referred to House committee. Status: Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

SEC. 3. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE FOR DEVELOPMENT AND IMPLEMENTATION OF EMERGENCY NOTIFICATION SYSTEMS FOR USE ON STATE AND LOCAL GOVERNMENT RECREATIONAL LANDS.

(a) Technical Assistance Authorized- The Secretary of Homeland Security may provide technical assistance to a State or local government to develop and implement an emergency notification system suitable for use on public recreational lands administered by the State or local government to warn persons using such lands of emergency situations, including natural disasters and acts of terrorism or other man-made disasters.

(b) Implementation Grants-

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(1) GRANTS AUTHORIZED- The Secretary of Homeland Security may make grants, on a competitive basis, to States and local governments to procure and install emergency notification systems on public recreational lands, as described in subsection (a).

Senate Bill 28

Sen. Rockefeller [WVA], introduced 1/25/11.

Status: 1/25/11 read twice and referred to the Committee on Commerce, Science, and Transportation.

Public Safety Spectrum and Wireless Innovation Act - Directs the Federal Communications Commission (FCC) to: (1) ensure the deployment of a nationwide public safety interoperable broadband network in the 700 MHz band which is deployed in both rural and urban areas; (2) reallocate and integrate the 700 MHz D block spectrum for use by public safety entities; (3) permit flexible use of the narrowband spectrum; (4) ensure that the nationwide public safety broadband network is fully interoperable on a nationwide basis; and (5) establish a 10-year public safety advisory board.

Senate Bill 162

Sen. Paul [KY], introduced 1/25/11.

Status: 1/26/11 read the second time and placed on Senate Legislative Calendar under General Orders. Calendar No. 1.

Cut Federal Spending Act of 2011 - Reduces FY2011 appropriations by specified amounts for: (1) the legislative branch; (2) the judicial branch; (3) the Department of Agriculture (USDA), including the Forest Service; (4) the Department of Commerce, including the National Oceanic and Atmospheric Administration (NOAA); (5) the Department of Defense (DOD) military personnel, procurement, operations and maintenance, research and development, and War funding/Overseas Contingency; (6) the Department of Energy (DOE); (7) the Department of Health and Human Services (HHS), including the Food and Drug Administration (FDA), the Health Resources and Services Administration, the Indian Health Service, the Center for Disease Control and Prevention (CDC), the National Institute of Health (NIH), and the Substance Abuse and Mental Health Service Administration; (8) the Department of Homeland Security (DHS), including the Transportation Security Administration (TSA); (9) the Department of Interior, including Land and Mineral Management, the U.S. Geological Survey, the National Park Service (NPS); and (10) the Department of Justice (DOJ).

Senate Bill 178

Sen DeMint [SC], introduced 1/25/11.

Status: 1/25/11 read twice and referred to the Committee on Finance.

Spending Reduction Act of 2011 - Amends the Continuing Appropriations Act, 2011 (CAA of 2011) to reduce FY2011 appropriations for nonsecurity discretionary spending to FY2008 levels.

Requires funding at the lower amount of any project or activity whose FY2008 level is higher than the amount provided in appropriations Acts for FY2010.

Continues discretionary spending at the current rate for operations specified in the security-related appropriations Acts for FY2010 listed in the CAA of 2011, including the rate specified in Division E of the Consolidated Appropriations Act, 2010.

Amends the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings) to: (1) modify the formula used to estimate the baseline, (2) eliminate automatic increases for inflation, and (3) extend through FY2021 the spending limits (spending caps) for the nondefense discretionary category in new budget authority.

Rescinds all unobligated balances of the discretionary appropriations made available by division A of the American Recovery and Reinvestment Act of 2009 (ARRA).

Repeals ARRA stimulus authority with respect to: (1) assistance for unemployed workers and struggling families, (2) premium assistance for Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) benefits, (3) Medicare and Medicaid health information technology, (4) state fiscal relief, (5) broadband communications, and (6) limits on executive compensation.

Amends the CAA of 2011 to extend the federal employee pay freeze through calendar year 2015.

Limits the number of civilian employees in the executive branch.

Makes persons having serious delinquent tax debts ineligible for federal employment.

Bars the obligation or expenditure of funds for specified programs or purposes, including the Corporation for Public Broadcasting.

Amends the Farm Security and Rural Investment Act of 2002 to terminate the national organic certification cost-share program.

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Prohibits: (1) unauthorized payments to the District of Columbia, or (2) payment of gratuities to survivors of Members of Congress.

Davis-Bacon Repeal Act - Repeals the Davis-Bacon Act (which requires that the locally prevailing wage rate be paid to various classes of laborers and mechanics working under federally-financed or federally-assisted contracts for construction, alteration, and repair of public buildings or public works).

Priorities in Education Spending Act - Repeals provisions of the Elementary and Secondary Education Act of 1965 to prioritize educational spending with respect to specified elementary and secondary programs.

Amends the ARRA to repeal the temporary increase of Medicaid FMAP.

Bans the construction or leasing of new federal buildings in the District of Columbia until January 2013, unless it is in the interest of national security.

Amends the Internal Revenue Code to terminate the Presidential Election Campaign Fund.

Amends the Federal Agriculture Improvement and Reform Act of 1996 to repeal the sugar loan program, and the Farm Security and Rural Investment Act of 2002 to repeal the feedstock flexibility program for bioenergy producers.

Amends the Agricultural Adjustment Act of 1938 to repeal authority for sugar marketing allotments, the Agricultural Act of 1949 to repeal the sugar price support program, and the Agricultural Trade Act of 1978 to repeal the market access program.

Amends the Food, Conservation, and Energy Act of 2008 to terminate the availability of marketing assistance loans and loan deficiency payments for mohair producers.

Requires the Director of the Office of Management and Budget (OMB) to conduct a Federal Real Property Disposal Pilot Program for the expedited disposal of real property not meeting federal government needs.

GSE Bailout Elimination and Taxpayer Protection Act - Requires the Director of the Federal Housing Finance Agency (FHFA) to: (1) terminate the conservatorship of the Federal National Mortgage Association (Fannie Mae) and/or the Federal Home Loan Mortgage Corporation (Freddie Mac) if such government-sponsored enterprise (GSE) is found financially viable, or (2) appoint the FHFA immediately as receiver of either GSE if it is found not to be financially viable.

Prescribes requirements to: (1) limit government printing costs, (2) deposit Internal Revenue Service users fees in the Treasury as general receipts, (3) limit government travel costs, and (4) reduce federal vehicle costs.

Repeals specified federal laws that prohibit public-private competitions for conversion to contractor performance of functions performed by federal employees pursuant to OMB Circular A-76.

Deauthorizes appropriations to carry out the Patient Protection and Affordable Care Act (PPACA) or the Health Care and Education Reconciliation Act of 2010 (HCERA), or any amendments made by them.

Rescinds the unobligated balance of HCERA funds made available for the Health Insurance Reform Implementation Fund.

Amends the Internal Revenue Code to require every individual, regardless of income tax liability for the taxable year, to designate a specified overpayment amount to reduce the federal deficit.

Amends the Gramm-Rudman-Hollings Act to require a taxpayer-generated sequestration of federal spending to reduce the deficit.

Amends the CAA of 2011 to prohibit the use of appropriations or funds made available or authority granted pursuant to this Act to carry out any program under, promulgate any regulation pursuant to, or defend against any lawsuit challenging any provision of the PPACA or the HCERA or any amendment made by them.

Senate Bill 199

Sen. Casey [PA], introduced 1/26/11.

Status: 1/26/11 read twice and referred to the Committee on Environment and Public Works.

Use It or Lose It Act of 2011 - Requires highway project amounts made available from the Highway Trust Fund through an earmark to be obligated within three years after the date such earmarked amounts are first made available.

Requires amounts not obligated within three years of the earmark to be: (1) released to the transportation department of the state with jurisdiction over the original recipient of the earmark, and (2) redistributed by the state for expeditious use for other federally-approved state transportation projects.

Senate Bill 273

Sen. Lautenberg [NJ], introduced 2/3/11.

Status: 2/3/11 read twice and referred to the Committee on Environment and Public Works.

Drunk Driving Repeat Offender Prevention Act of 2011 - Directs the Secretary of Transportation (DOT) to withhold specified graduated percentages of a state's apportionment of certain federal-aid highway funds for FY2014-FY2016 if the state has not enacted and is not enforcing a law requiring the installation of an ignition interlock device for a minimum of 180

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days on each motor vehicle operated by an individual convicted of driving while intoxicated or driving under the influence (having a blood alcohol concentration of 0.08% or greater).

Senate Bill 510

Sen. Udall [NM], introduced 3/8/11.

Status: 3/8/11 read twice and referred to the Committee on Commerce, Science, and Transportation.

Research of Alcohol Detection Systems for Stopping Alcohol-related Fatalities Everywhere Act of 2011 or ROADS SAFE Act of 2011 - Directs the Administrator of the National Highway Traffic Safety Administration (NHTSA) to carry out a collaborative research effort to continue to explore the feasibility and the potential benefits of, and the public policy challenges associated with, more widespread deployment of in-vehicle technology to prevent alcohol-impaired driving.

Senate Bill 528 Related Bill: House Resolution 1515

Sen. Gillibrand [NY], introduced 3/9/11.

Status: 3/9/11 read twice and referred to the Committee on Environment and Public Works.

This Act may be cited as the 'Safe Teen and Novice Driver Uniform Protection Act of 2011' or the 'STANDUP Act'. To provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

Senate Bill 624

Sen. Menendez [NJ], introduced 3/17/11.

Status: 3/17/11 read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Choice Neighborhoods Initiative Act of 2011 - Requires the Secretary of Housing and Urban Development (HUD) to make competitive grants to local governments, public housing agencies (PHAs), community development corporations, assisted housing owners, and other for-profit and nonprofit entities to implement transformational programs in eligible neighborhoods with a concentration of extreme poverty, severely distressed housing, and a potential for long-term viability, once certain key problems are addressed.

Requires such programs to include neighborhoods with characteristics such as proximity to educational institutions, medical centers, central business districts, major employers, effective transportation alternatives (including public transit, walking, and bicycling), and low poverty neighborhoods.

Prohibits the use of such grants for construction or rehabilitation of a K-12 school building or a higher educational institution. Limits the use of grants for certain non-housing activities and supportive services. Authorizes the Secretary to waive such limitations.

Exempts from specified requirements of the United States Housing Act of 1937 the demolition and disposition of severely distressed public and assisted housing pursuant to a transformation plan.

Senate Bill 652

Sen. Kerry [MA], introduced 3/17/11.

Status: 3/17/11 read twice and referred to the Committee on Finance.

Building and Upgrading Infrastructure for Long-Term Development - Establishes the American Infrastructure Financing Authority (AIFA) as a wholly-owned government corporation, headed by a Chief Executive Officer and managed by a Board of Directors, which shall provide direct loans and loan guarantees to facilitate transportation, water, or energy infrastructure projects. Requires infrastructure projects assisted under this Act to have costs that are reasonably anticipated to equal or exceed \$100 million (\$25 million for rural infrastructure projects).

Sets forth special requirements for infrastructure projects in rural areas. Establishes an Office of Rural Assistance to provide technical assistance in the development and financing of rural infrastructure projects.

Establishes an Office of Special Inspector General to conduct, supervise, and coordinate audits and investigations of the business activities of AIFA.

Prohibits financial assistance from AIFA for any private project for which no public benefit is created. Sets forth terms for loans or loan guarantees for infrastructure projects and for the repayment of such loans. Requires an annual independent audit of AIFA finances.

Requires the Chief Executive Officer of AIFA to: (1) establish fees with respect to loans and loan guarantees that are sufficient to cover AIFA's administrative costs, and (2) take actions to make AIFA a self-sustaining entity, with administrative

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and federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees.
Amends the Internal Revenue Code to extend through 2012 the exemption from alternative minimum tax (AMT) for tax-exempt private activity bonds.

Senate Bill 800

Sen. Harkin [IA], introduced 4/12/11.

Status: 4/12/11 read twice and referred to the Committee on Environment and Public Works.

This Act may be cited as the 'Safe Routes to School Program Reauthorization Act'. To amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

Senate Bill 885

Sen. Bingaman [NM], introduced 5/4/11.

Status: 5/4/11 read twice and referred to the Committee on Environment and Public Works.

This Act may be cited as the '**Indian School Bus Route Safety Reauthorization Act of 2011**'. To amend the Transportation Equity Act for the 21st Century to reauthorize a provision relating to additional contract authority for States with Indian reservations.

Senate Bill 936

Sen Rockefeller [WV], introduced 5/10/2011.

Status: 5/10/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

American Infrastructure Investment Fund Act of 2011 - Establishes the American Infrastructure Investment Fund in the Department of Transportation (DOT) to: (1) invest in infrastructure projects that increase or otherwise improve U.S. economic output, productivity, or competitive commercial advantage; (2) provide funding for projects that face significant funding barriers because of the need to combine resources across multiple jurisdictions or modes of transportation; and (3) improve the efficiency or throughput, the safety, and the environmental sustainability of a national or regional transportation network.

Senate Bill 942

Sen Murray [WA], introduced 5/10/2011.

Status: 5/10/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Transportation Infrastructure Grants and Economic Reinvestment Act - Directs the Secretary of Transportation (DOT) to establish a national infrastructure investment program to provide competitive grants (of \$10-\$500 million), secured loans, and loan guarantees to a state, local government, or transit agency for eligible transportation projects (including highway or bridge, public transportation, passenger or freight rail transportation, and port infrastructure projects) that would have a significant beneficial impact on a state, metropolitan area, region, or the United States.

Senate Bill 1056

Sen Harkin [IA], introduced 5/24/2011.

Status: 5/24/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

Safe and Complete Streets Act of 2011 - Requires each state to have in effect within two years a law, or each state department of transportation and metropolitan planning organization (MPO) an explicit policy statement, that requires all federal-aid highway projects, with certain exceptions, to accommodate the safety and convenience of all users in accordance with certain complete streets principles.

Defines "complete streets principles" as federal, state, local, or regional level transportation laws, policies, or principles which ensure that the safety and convenience of all users of a transportation system, including pedestrians, bicyclists, public transit users, children, older individuals, motorists, freight vehicles, and individuals with disabilities, are accommodated in all phases of project planning and development.

Senate Bill 1164

Sen DeMint [SC], introduced 6/9/2011.

Status: 6/9/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

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Transportation Empowerment Act - Declares the purposes of the Act, including to return maximum discretionary authority and fiscal responsibility to the states for all elements of the national surface transportation systems (excluding the Dwight D. Eisenhower National System of Interstate and Defense Highways).

Authorizes appropriations out of the Highway Trust Fund (HTF) for FY2014-FY2018 for specified core programs under the federal-aid highway program, including: (1) the interstate maintenance program, (2) emergency relief for highways and roads, (3) the interstate bridge program, (4) the federal lands highways program, (5) highway safety programs, (6) surface transportation research, and (7) administrative expenses.

Authorizes a state to transfer and use excess federal-aid highway funds for any surface transportation project (including mass transit and rail).....

Senate Bill 1193

Sen Cardin [MD], introduced 6/14/2011.

Status: 6/14/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

Federal-Aid Highway Preservation and Renewal Program Act of 2011 - Replaces the current Interstate (Highway System) maintenance program with a new surface transportation infrastructure preservation and renewal program.

Directs the Secretary of Transportation (DOT) to establish such a program to: (1) establish national priorities and goals for bringing federal-aid highways and federal-aid and non-federal-aid bridges into a state of good repair, (2) focus federal investment on preserving and improving roadway and bridge conditions, and (3) strengthen the connection between the use by a state of federal surface transportation funding.

Authorizes a state to use apportioned program funds for eligible highway infrastructure improvement projects and costs. Requires a state to give priority to eligible projects that help meet certain state of good repair performance standards and targets for the National Highway System (NHS).

Requires a state to: (1) develop an asset management process to support the development of system preservation and renewal plans for each class of infrastructure on NHS and federal-aid highways, and (2) develop and update such plans biennially for approval by the Secretary.

Requires each state to develop a safe streets policy that ensures that the safety and convenience of all users of a transportation system are accommodated in all phases of project planning and development.

Senate Bill 1248

Sen Coburn [OK], introduced 6/22/2011.

Status: 6/22/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Rules and Administration.

Enumerated Powers Act - Requires each Act of Congress, bill, resolution, conference report, or amendment to contain a concise explanation of the specific constitutional authority relied upon as the basis for enacting each portion of the measure.

Permits a statement of constitutionality, to the extent that a measure limits or abolishes any federal activity, spending, or power overall, to cite the 9th or the 10th Amendment to the U.S. Constitution.

Declares that invoking one or more specified parts of the following clauses in a statement of constitutionality is not sufficient to satisfy the requirements of this Act: (1) the enumerated spending clause; or (2) the commerce clause for any purpose other than the regulation of the buying and selling of goods or services, or their transportation, across boundaries with foreign nations, across state lines, or **with the Indian tribes**.

Senate Bill 1422

Sen Klobuchar [MN], introduced 7/27/2011.

Status: 7/27/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

This Act may be cited as the 'Students Taking Action for Road Safety Act of 2011' or the 'STARS Act of 2011

(a) Establishment- The Secretary of Transportation shall establish a teen traffic safety grant program under which the Secretary shall award grants to States to implement a statewide program to improve the traffic safety of teen drivers.

(b) Purpose- The purpose of the program is to support peer-to-peer education and prevention strategies in schools and communities--

(1) to increase safety belt use;

(2) to reduce speeding;

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- (3) to reduce impaired and distracted driving;
- (4) to reduce underage drinking; and
- (5) to reduce other destructive decisions by teen drivers that lead to injuries and fatalities.

Senate Bill 1436

Sen Wyden [OR], introduced 7/28/2011.

Status: 7/28/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To provide \$50,000,000,000 in new transportation infrastructure funding through bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, bridges, rail and transit systems, ports, and inland waterways, and for other purposes.