

APPENDIX H-1-1:

MAP-21 FREIGHT PROVISIONS

SEC. 1115. NATIONAL FREIGHT POLICY.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“§ 167. National freight policy

“(a) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the national freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

“(b) GOALS.—The goals of the national freight policy are—

“(1) to invest in infrastructure improvements and to implement operational improvements that—

“(A) strengthen the contribution of the national freight network to the economic competitiveness of the United States;

“(B) reduce congestion; and

“(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

“(2) to improve the safety, security, and resilience of freight transportation;

“(3) to improve the state of good repair of the national freight network;

“(4) to use advanced technology to improve the safety and efficiency of the national freight network;

“(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network; and

“(6) to improve the economic efficiency of the national freight network.

“(7) to reduce the environmental impacts of freight movement on the national freight network;

“(c) ESTABLISHMENT OF A NATIONAL FREIGHT NETWORK.—

“(1) IN GENERAL.—The Secretary shall establish a national freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways, including national highway system, freight intermodal connectors and aerotropolis transportation systems.

“(2) NETWORK COMPONENTS.—The national freight network shall consist of—

“(A) the primary freight network, as designated by the Secretary under subsection (d) (referred to in this section as the ‘primary freight network’) as most critical to the movement of freight;

“(B) the portions of the Interstate System not designated as part of the primary freight network; and

“(C) critical rural freight corridors established under subsection (e).

“(d) DESIGNATION OF PRIMARY FREIGHT NETWORK.—

“(1) INITIAL DESIGNATION OF PRIMARY FREIGHT NETWORK.—

“(A) DESIGNATION.—Not later than 1 year after the date of enactment of this section, the Secretary shall designate a primary freight network—

“(i) based on an inventory of national freight volume conducted by the Administrator of the Federal Highway Administration, in consultation with stakeholders, including system users, transport providers, and States; and

“(ii) that shall be comprised of not more than 27,000 centerline miles of existing roadways that are most critical to the movement of freight.

“(B) FACTORS FOR DESIGNATION.—In designating the primary freight network, the Secretary shall consider—

“(i) the origins and destinations of freight movement in the United States;

“(ii) the total freight tonnage and value of freight moved by highways;

“(iii) the percentage of annual average daily truck traffic in the annual average daily traffic on principal arterials;

“(iv) the annual average daily truck traffic on principal arterials;

“(v) land and maritime ports of entry;

“(vi) access to energy exploration, development, installation, or production areas;

“(vii) population centers; and

“(viii) network connectivity.

“(2) **ADDITIONAL MILES ON PRIMARY FREIGHT NETWORK.**— In addition to the miles initially designated under paragraph (1), the Secretary may increase the number of miles designated as part of the primary freight network by not more than 3,000 additional centerline miles of roadways (which may include existing or planned roads) critical to future efficient movement of goods on the primary freight network.

“(3) **REDESIGNATION OF PRIMARY FREIGHT NETWORK.**—Effective beginning 10 years after the designation of the primary freight network and every 10 years thereafter, using the designation factors described in paragraph (1), the Secretary shall redesignate the primary freight network (including additional mileage described in paragraph (2)).

“(e) **CRITICAL RURAL FREIGHT CORRIDORS.**—A State may designate a road within the borders of the State as a critical rural freight corridor if the road—

“(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (FHWA vehicle class 8 to 13);

“(2) provides access to energy exploration, development, installation, or production areas;

“(3) connects the primary freight network, a roadway described in paragraph (1) or (2), or Interstate System to facilities that handle more than—

“(A) 50,000 20-foot equivalent units per year; or

“(B) 500,000 tons per year of bulk commodities.

“(f) **NATIONAL FREIGHT STRATEGIC PLAN.**—

“(1) **INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.**—Not later than 3 years after the date of enactment of this section, the Secretary shall, in consultation with State departments of transportation and other appropriate public and private transportation stakeholders, develop and post on the Department of Transportation public website a national freight strategic plan that shall include—

“(A) an assessment of the condition and performance of the national freight network;

“(B) an identification of highway bottlenecks on the national freight network that create significant freight congestion problems, based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

“(i) information from the Freight Analysis Network of the Federal Highway Administration; and

“(ii) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

“(C) forecasts of freight volumes for the 20-year period beginning in the year during which the plan is issued;

“(D) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

“(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

“(F) an identification of routes providing access to energy exploration, development, installation, or production areas;

“(G) best practices for improving the performance of the national freight network;

“(H) best practices to mitigate the impacts of freight movement on communities;

“(I) a process for addressing multistate projects and encouraging jurisdictions to collaborate; and

“(J) strategies to improve freight intermodal connectivity.

“(2) **UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.**—Not later than 5 years after the date of completion of the first national freight strategic plan under paragraph (1), and every 5 years thereafter, the Secretary shall update and repost on the Department of Transportation public website a revised national freight strategic plan.

“(g) **FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.**—Not later than 2 years after the date of enactment of this section, and biennially thereafter, the Secretary shall prepare a report that contains a description of the conditions and performance of the national freight network in the United States.

“(h) **TRANSPORTATION INVESTMENT DATA AND PLANNING TOOLS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this section, the Secretary shall—

“(A) begin development of new tools and improvement of existing tools or improve existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

“(i) methodologies for systematic analysis of benefits and costs;

“(ii) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, environmental sustainability, and system condition in the project selection process; and

“(iii) other elements to assist in effective transportation planning;

“(B) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

“(C) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

“(2) **CONSULTATION.**—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data in paragraph (1).

“(i) **DEFINITION OF AEROTROPOLIS TRANSPORTATION SYSTEM.**— In this section, the term ‘aerotropolis transportation system’ means a planned and coordinated multimodal freight and passenger transportation network that, as determined by the Secretary, provides efficient, cost-effective, sustainable, and intermodal connectivity to a defined region of economic significance centered around a major airport.”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“167. National freight program.”.

SEC. 1116. PRIORITIZATION OF PROJECTS TO IMPROVE FREIGHT MOVEMENT.

(a) **IN GENERAL.**—Notwithstanding section 120 of title 23, United States Code, the Secretary may increase the Federal share payable for any project to 95 percent for projects on the Interstate System and 90 percent for any other project if the Secretary certifies that the project meets the requirements of this section.

(b) **INCREASED FUNDING.**—To be eligible for the increased Federal funding share under this section, a project shall—

(1) demonstrate the improvement made by the project to the efficient movement of freight, including making progress towards meeting performance targets for freight movement established under section 150(d) of title 23, United States Code; and

(2) be identified in a State freight plan developed pursuant to section 1118.

(c) **ELIGIBLE PROJECTS.**—Eligible projects to improve the movement of freight under this section may include, but are not limited to—

- (1) construction, reconstruction, rehabilitation, and operational improvements directly relating to improving freight movement;
- (2) intelligent transportation systems and other technology to improve the flow of freight;
- (3) efforts to reduce the environmental impacts of freight movement on the primary freight network;
- (4) railway-highway grade separation;
- (5) geometric improvements to interchanges and ramps.
- (6) truck-only lanes;
- (7) climbing and runaway truck lanes;
- (8) truck parking facilities eligible for funding under section 1401;
- (9) real-time traffic, truck parking, roadway condition, and multimodal transportation information systems;
- (10) improvements to freight intermodal connectors; and
- (11) improvements to truck bottlenecks.

SEC. 1117. STATE FREIGHT ADVISORY COMMITTEES.

- (a) *IN GENERAL.*—The Secretary shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.
- (b) *ROLE OF COMMITTEE.*—A freight advisory committee of a State described in subsection (a) shall—
 - (1) advise the State on freight-related priorities, issues, projects, and funding needs;
 - (2) serve as a forum for discussion for State transportation decisions affecting freight mobility;
 - (3) communicate and coordinate regional priorities with other organizations;
 - (4) promote the sharing of information between the private and public sectors on freight issues; and
 - (5) participate in the development of the freight plan of the State described in section 1118.

SEC. 1118. STATE FREIGHT PLANS.

- (a) *IN GENERAL.*—The Secretary shall encourage each State to develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.
- (b) *PLAN CONTENTS.*—A freight plan described in subsection (a) shall include, at a minimum—
 - (1) an identification of significant freight system trends, needs, and issues with respect to the State;
 - (2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;
 - (3) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 167 of title 23, United States Code;
 - (4) evidence of consideration of innovative technologies and operational strategies, including intelligent transportation systems, that improve the safety and efficiency of freight movement;
 - (5) in the case of routes on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration; and
 - (6) an inventory of facilities with freight mobility issues, such as truck bottlenecks, within the State, and a description of the strategies the State is employing to address those freight mobility issues.
- (c) *RELATIONSHIP TO LONG-RANGE PLAN.*—A freight plan described in subsection (a) may be developed separate from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23, United States Code.

Subtitle D—Highway Safety

SEC. 1401. JASON’S LAW.

(a) *IN GENERAL.*—It is the sense of Congress that it is a national priority to address projects under this section for the shortage of long-term parking for commercial motor vehicles on the National Highway System to improve the safety of motorized and non-motorized users and for commercial motor vehicle operators.

(b) *ELIGIBLE PROJECTS.*—Eligible projects under this section are those that—

(1) serve the National Highway System; and

(2) may include the following:

(A) Constructing safety rest areas (as defined in section 120(c) of title 23, United States Code) that include parking for commercial motor vehicles.

(B) Constructing commercial motor vehicle parking facilities adjacent to commercial truck stops and travel plazas.

(C) Opening existing facilities to commercial motor vehicle parking, including inspection and weigh stations and park-and-ride facilities.

(D) Promoting the availability of publicly or privately provided commercial motor vehicle parking on the National Highway System using intelligent transportation systems and other means.

(E) Constructing turnouts along the National Highway System for commercial motor vehicles.

(F) Making capital improvements to public commercial motor vehicle parking facilities currently closed on a seasonal basis to allow the facilities to remain open year-round.

(G) Improving the geometric design of interchanges on the National Highway System to improve

(c) *SURVEY AND COMPARATIVE ASSESSMENT.*—

(1) *IN GENERAL.*—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with relevant State motor carrier safety personnel, shall conduct a survey of each State—

(A) to evaluate the capability of the State to provide adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation;

(B) to assess the volume of commercial motor vehicle traffic in the State; and

(C) to develop a system of metrics to measure the adequacy of commercial motor vehicle parking facilities in the State.

(2) *RESULTS.*—The results of the survey under paragraph

(1) shall be made available to the public on the website of the Department of Transportation.

(3) *PERIODIC UPDATES.*—The Secretary shall periodically update the survey under this subsection.

**DIVISION C—TRANSPORTATION SAFETY AND SURFACE TRANSPORTATION
POLICY**

**TITLE I—MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF
2012**

Subtitle H—Safe Highways and Infrastructure Preservation

SEC. 32801. COMPREHENSIVE TRUCK SIZE AND WEIGHT LIMITS STUDY.

(a) *TRUCK SIZE AND WEIGHT LIMITS STUDY.*—Not later than 45 days after the date of enactment of this Act, the Secretary, in consultation with each relevant State and other applicable Federal agencies, shall commence a comprehensive truck size and weight limits study. The study shall—

(1) provide data on accident frequency and evaluate factors related to accident risk of vehicles that operate with size and weight limits that are in excess of the Federal law and regulations in each State that allows vehicles to operate with size and weight limits that are in excess of the Federal law and regulations, or to operate under a Federal exemption or grandfather right, in comparison to vehicles that do not operate in excess of Federal law and regulations (other than vehicles with exemptions or grandfather rights);

(2) evaluate the impacts to the infrastructure in each State that allows a vehicle to operate with size and weight limits that are in excess of the Federal law and regulations, or to operate under a Federal exemption or grandfather right, in comparison to vehicles that do not operate in excess of Federal law and regulations (other than vehicles with exemptions or grandfather rights), including—

- (A) the cost and benefits of the impacts in dollars;
- (B) the percentage of trucks operating in excess of the Federal size and weight limits; and
- (C) the ability of each State to recover the cost for the impacts, or the benefits incurred;

(3) evaluate the frequency of violations in excess of the Federal size and weight law and regulations, the cost of the enforcement of the law and regulations, and the effectiveness of the enforcement methods;

(4) assess the impacts that vehicles that operate with size and weight limits in excess of the Federal law and regulations, or that operate under a Federal exemption or grandfather right, in comparison to vehicles that do not operate in excess of Federal law and regulations (other than vehicles with exemptions or grandfather rights), have on bridges, including the impacts resulting from the number of bridge loadings;

(5) compare and contrast the potential safety and infrastructure impacts of the current Federal law and regulations regarding truck size and weight limits in relation to—

- (A) six-axle and other alternative configurations of tractor-trailers; and
- (B) where available, safety records of foreign nations with truck size and weight limits and tractor-trailer configurations that differ from the Federal law and regulations; and

(6) estimate—

- (A) the extent to which freight would likely be diverted from other surface transportation modes to principal arterial routes and National Highway System intermodal connectors if alternative truck configuration is allowed to operate and the effect that any such diversion would have on other modes of transportation;
- (B) the effect that any such diversion would have on public safety, infrastructure, cost responsibilities, fuel efficiency, freight transportation costs, and the environment;
- (C) the effect on the transportation network of the United States that allowing alternative truck configuration to operate would have; and
- (D) whether allowing alternative truck configuration to operate would result in an increase or decrease in the total number of trucks operating on principal arterial routes and National Highway System intermodal connectors; and

(7) identify all Federal rules and regulations impacted by changes in truck size and weight limits.

(b) **REPORT.**—Not later than 2 years after the date that the study is commenced under subsection (a), the Secretary shall submit a final report on the study, including all findings and recommendations, to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 32802. COMPILATION OF EXISTING STATE TRUCK SIZE AND WEIGHT LIMIT LAWS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary, in consultation with the States, shall begin to compile—

- (1) a list for each State, as applicable, that describes each route of the National Highway System that allows a vehicle to operate in excess of the Federal truck size and weight limits that—
 - (A) was authorized under State law on or before the date of enactment of this Act; and
 - (B) was in actual and lawful operation on a regular or periodic basis (including seasonal operations) on or before the date of enactment of this Act;
- (2) a list for each State, as applicable, that describes—
 - (A) the size and weight limitations applicable to each segment of the National Highway System in that State as listed under paragraph (1);

(B) each combination that exceeds the Interstate weight limit, but that the Department of Transportation, other Federal agency, or a State agency has determined on or before the date of enactment of this Act, could be or could have been lawfully operated in the State; and

(C) each combination that exceeds the Interstate weight limit, but that the Secretary determines could have been lawfully operated on a non-Interstate segment of the National Highway System in the State on or before the date of enactment of this Act; and

(3) a list of each State law that designates or allows designation of size and weight limitations in excess of Federal law and regulations on routes of the National Highway System, including nondivisible loads.

(b) SPECIFICATIONS.—The Secretary, in consultation with the States, shall specify whether the determinations under paragraphs (1) and (2) of subsection (a) were made by the Department of Transportation, other Federal agency, or a State agency.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a final report of the compilation under subsection (a) to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.