AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 7
OFFERED BY MR. SHULER OF NORTH CAROLINA
AND MR. HUNTER OF CALIFORNIA

Strike section 1108 and insert the following:

SEC. 1108. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) Eligible Projects.—Section 149(b) is amended to read as follows:

“(b) Eligible Projects.—

“(1) In general.—

“(A) Requirements for obligation of funds.—A State may obligate funds apportioned to the State under section 104(b)(2) for a transportation project or program if the project or program meets the requirements of subparagraph (B) and (C).

“(B) Area served by project or program.—A project or program meets the requirements of this subparagraph if the project or program is for an area in the State that—

“(i) is or was designated as a non-attainment area for ozone, carbon mon-
oxide, or particulate matter under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) and classified pursuant to section 181(a), 186(a), 188(a), or 188(b) of the Clean Air Act (42 U.S.C. 7511(a), 7512(a), 7513(a), or 7513(b));

“(ii) is or was designated as a non-attainment area under such section 107(d) after December 31, 1997; or

“(iii) is required to prepare, and file with the Administrator of the Environmental Protection Agency, maintenance plans under the Clean Air Act (42 U.S.C. 7505a).

“(C) PURPOSE OF PROJECT OR PROGRAM.—A project or program meets the requirements of this subparagraph if—

“(i) the Secretary, after consultation with the Administrator, determines that—

“(I) on the basis of information published by the Environmental Protection Agency pursuant to section 108(f)(1)(A) of the Clean Air Act (other than clause (xvi) of such sec-
tion), the project or program is likely
to contribute to—

“(aa) the attainment of a
national ambient air quality
standard; or

“(bb) the maintenance of a
national ambient air quality
standard in a maintenance area;

or

“(II) the project or program is
part of a program, method, or strat-
egy described in such section
108(f)(1)(A);

“(ii) the project or program is in-
cluded in a State implementation plan that
has been approved pursuant to the Clean
Air Act and the project will have air qual-
ity benefits;

“(iii) the Secretary, after consultation
with the Administrator, determines that
the project or program is likely to con-
tribute to the attainment of a national am-
ambient air quality standard through reduc-
tions in travel time delay, vehicle miles
traveled, or fuel consumption or through
other factors; or

“(iv) the Secretary determines that
the project or program is likely to con-
tribute to the mitigation of congestion.

“(2) SPECIAL RULES.—

“(A) PROJECTS RESULTING IN NEW CA-
PACITY FOR SINGLE OCCUPANT VEHICLES.—A
State may obligate funds apportioned to the
State under section 104(b)(2) for a project or
program that will result in the construction of
new capacity available to single occupant vehi-
cles only if the project or program is likely to
contribute to the mitigation of congestion or the
improvement of air quality.

“(B) PROJECTS FOR PM-10 NONATTAIN-
MENT AREAS.—A State may obligate funds ap-
portioned to the State under section 104(b)(2)
for a project or program for an area that is
nonattainment for ozone or carbon monoxide, or
both, and for PM–10 resulting from transpor-
tation activities, without regard to any limita-
tion of the Department of Transportation relating
to the type of ambient air quality standard
such project or program addresses.
“(C) ELECTRIC AND ALTERNATIVE FUEL VEHICLE INFRASTRUCTURE.—A State may obligate funds apportioned under section 104(b)(2) or 104(b)(3) for a project or program to establish or support the establishment of electric vehicle battery charging or changing facilities or alternative fuel refueling facilities at any location in the State. Such projects or programs may be carried out by a State or local agency or through a public-private partnership.”.

(b) COST-EFFECTIVE EMISSION REDUCTION GUIDANCE.—Section 149 is amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.