

**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:

1 **SEC. 1108. CONGESTION MITIGATION AND AIR QUALITY IM-**
2 **PROVEMENT PROGRAM.**

3 (a) **ELIGIBLE PROJECTS.**—Section 149(b) is amend-
4 ed to read as follows:

5 “(b) **ELIGIBLE PROJECTS.**—

6 “(1) **IN GENERAL.**—

7 “(A) **REQUIREMENTS FOR OBLIGATION OF**
8 **FUNDS.**—A State may obligate funds appor-
9 tioned to the State under section 104(b)(2) for
10 a transportation project or program if the
11 project or program meets the requirements of
12 subparagraph (B) and (C).

13 “(B) **AREA SERVED BY PROJECT OR PRO-**
14 **GRAM.**—A project or program meets the re-
15 quirements of this subparagraph if the project
16 or program is for an area in the State that—

17 “(i) is or was designated as a non-
18 attainment area for ozone, carbon mon-

1 oxide, or particulate matter under section
2 107(d) of the Clean Air Act (42 U.S.C.
3 7407(d)) and classified pursuant to section
4 181(a), 186(a), 188(a), or 188(b) of the
5 Clean Air Act (42 U.S.C. 7511(a),
6 7512(a), 7513(a), or 7513(b));

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

10 “(iii) is required to prepare, and file
11 with the Administrator of the Environ-
12 mental Protection Agency, maintenance
13 plans under the Clean Air Act (42 U.S.C.
14 7505a).

15 “(C) PURPOSE OF PROJECT OR PRO-
16 GRAM.—A project or program meets the re-
17 quirements of this subparagraph if—

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

20 “(I) on the basis of information
21 published by the Environmental Pro-
22 tection Agency pursuant to section
23 108(f)(1)(A) of the Clean Air Act
24 (other than clause (xvi) of such sec-

1 tion), the project or program is likely
2 to contribute to—

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

6 “ (bb) the maintenance of a
7 national ambient air quality
8 standard in a maintenance area;
9 or

10 “ (II) the project or program is
11 part of a program, method, or strat-
12 egy described in such section
13 108(f)(1)(A);

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

19 “ (iii) the Secretary, after consultation
20 with the Administrator, determines that
21 the project or program is likely to con-
22 tribute to the attainment of a national am-
23 bient air quality standard through reduc-
24 tions in travel time delay, vehicle miles

1 traveled, or fuel consumption or through
2 other factors; or

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

6 “(2) SPECIAL RULES.—

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

16 “(B) PROJECTS FOR PM-10 NONATTAIN-
17 MENT AREAS.—A State may obligate funds ap-
18 portioned to the State under section 104(b)(2)
19 for a project or program for an area that is
20 nonattainment for ozone or carbon monoxide, or
21 both, and for PM-10 resulting from transpor-
22 tation activities, without regard to any limita-
23 tion of the Department of Transportation relat-
24 ing to the type of ambient air quality standard
25 such project or program addresses.

1 “(C) ELECTRIC AND ALTERNATIVE FUEL
2 VEHICLE INFRASTRUCTURE.—A State may obli-
3 gate funds apportioned under section 104(b)(2)
4 or 104(b)(3) for a project or program to estab-
5 lish or support the establishment of electric ve-
6 hicle battery charging or changing facilities or
7 alternative fuel refueling facilities at any loca-
8 tion in the State. Such projects or programs
9 may be carried out by a State or local agency
10 or through a public-private partnership.”.

11 (b) COST-EFFECTIVE EMISSION REDUCTION GUID-
12 ANCE.—Section 149 is amended—

13 (1) by striking subsection (f); and

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

