

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4855

To amend title 23, United States Code, to provide for the use of certain highway funds for improvements to railway-highway crossings.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1994

Mr. VISCLOSKY (for himself, Mr. ROEMER, Mr. MYERS of Indiana, Ms. LONG, Mr. BUYER, Mr. MCCLOSKEY, Mr. HAMILTON, Mr. JACOBS, Mr. SHARP, and Mr. BURTON of Indiana) introduced the following bill; which was referred to the Committee on Public Works and Transportation

---

## A BILL

To amend title 23, United States Code, to provide for the use of certain highway funds for improvements to railway-highway crossings.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rail Grade Crossing  
5 Safety Enhancement Act of 1994”.

6 **SEC. 2. AVAILABILITY OF FUNDS FOR RAILWAY-HIGHWAY**  
7 **CROSSING IMPROVEMENT.**

8 Section 153(h) of title 23, United States Code, is  
9 amended by adding at the end the following:

1           “(6) AUTHORITY FOR ALTERNATIVE APPOR-  
2           TIONMENT.—

3           “(A) IN GENERAL.—In lieu of a transfer of  
4           a percentage of funds to the apportionment of  
5           a State in a fiscal year under paragraph (1) or  
6           (2), the Secretary may transfer all or a portion  
7           of the percentage of funds applicable under  
8           such paragraph in that fiscal year to the appor-  
9           tionment of the State under section 130 of this  
10          title.

11          “(B) CONDITION OF TRANSFER.—The Sec-  
12          retary shall exercise the authority provided  
13          under subparagraph (A) in a fiscal year only  
14          upon the request of the chief executive officer  
15          of the State concerned.

16          “(C) USE OF TRANSFERRED FUNDS.—  
17          Funds available to a State pursuant to a trans-  
18          fer of funds under this paragraph shall be used  
19          only for the purpose set forth in the first sen-  
20          tence of section 130(e) of this title.

21          “(D) TREATMENT OF EXERCISE OF AU-  
22          THORITY.—Paragraphs (3), (4), and (5) shall  
23          apply to a transfer under this paragraph. In the  
24          administration of such paragraphs with respect  
25          to such a transfer, any reference to section 402

1 of this title shall be deemed to be a reference  
2 to section 130 of this title.”.

○