

103^D CONGRESS
2^D SESSION

S. 2286

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

IN THE SENATE OF THE UNITED STATES

JULY 14 (legislative day, JULY 11), 1994

Mr. LUGAR (for himself and Mr. COATS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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 for the purpose set forth in the first sentence
20 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, the reference to section 402

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

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