

117TH CONGRESS
1ST SESSION

H. R. 2203

To amend titles 23 and 49, United States Code, to improve public understanding of how transportation investments are made by public agencies through establishing greater transparency and accountability processes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Mr. DESAULNIER introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend titles 23 and 49, United States Code, to improve public understanding of how transportation investments are made by public agencies through establishing greater transparency and accountability processes.

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 “Metropolitan Planning
5 Enhancement Act”.

1 **SEC. 2. METROPOLITAN TRANSPORTATION PLANNING.**

2 (a) DEVELOPMENT OF TRANSPORTATION PLAN.—

3 Section 134(i) of title 23, United States Code, is amend-
4 ed—

5 (1) by redesignating paragraphs (7) and (8) as
6 paragraphs (8) and (9); and

7 (2) by inserting after paragraph (6) the fol-
8 lowing:

9 “(7) PROJECT SELECTION TRANSPARENCY AND
10 ACCOUNTABILITY.—Projects included in the adopted
11 transportation plan shall be selected through a pub-
12 licly available transparent process that includes use
13 of criteria that directly support factors in subsection
14 (h), the national transportation goals under section
15 150(b), and applicable State transportation goals.
16 The criteria shall be used to publicly categorize the
17 highest performing projects.”.

18 (b) METROPOLITAN TIP.—Section 134(j)(2)(A) of
19 title 23, United States Code is amended by adding after
20 the period at the end the following:

21 “Projects included in the priority list shall come from
22 the highest performing category of projects identified in
23 the transportation plan under subsection (i)(7). If a lower-
24 categorized project is included in the priority project list,
25 a public description shall be included to explain why the
26 lower-categorized project is included before a higher-cat-

1 egorized project, including geographic balance and
2 projects in economically distressed areas.”.

3 **SEC. 3. STATEWIDE AND NONMETROPOLITAN TRANSPOR-**
4 **TATION PLANNING.**

5 (a) LONG-RANGE STATEWIDE TRANSPORTATION
6 PLAN.—Section 135(f) of title 23, United States Code, is
7 amended—

8 (1) by redesignating paragraph (9) as para-
9 graph (10); and

10 (2) by inserting after paragraph (8) the fol-
11 lowing:

12 “(9) PROJECT SELECTION TRANSPARENCY AND
13 ACCOUNTABILITY.—Projects included in the adopted
14 long-range statewide transportation plan shall be se-
15 lected through a publicly available transparent proc-
16 ess that includes use of criteria that directly support
17 factors in subsection (d), the national transportation
18 goals under section 150(b), and applicable State
19 transportation goals. The criteria shall be used to
20 publicly categorize the highest performing projects.”.

21 (b) STATEWIDE TRANSPORTATION IMPROVEMENT
22 PLAN.—Section 135(g)(5)(A) of title 23, United States
23 Code is amended by adding after the period at the end
24 the following:

1 “Projects included in the transportation improvement
 2 program shall come from the highest performing category
 3 of projects identified in the transportation plan under sub-
 4 section (f)(9). If a lower-categorized project is included in
 5 the priority project list, a public description shall be in-
 6 cluded to explain why the lower-categorized project is in-
 7 cluded before a higher-categorized project, including geo-
 8 graphic balance and projects in economically distressed
 9 areas.”.

10 **SEC. 4. METROPOLITAN TRANSPORTATION PLANNING.**

11 (a) DEVELOPMENT OF TRANSPORTATION PLAN.—
 12 Section 5303(i) of chapter 53 of title 49, United States
 13 Code, is amended—

14 (1) by redesignating paragraphs (7) and (8) as
 15 paragraphs (8) and (9); and

16 (2) by inserting after paragraph (6) the fol-
 17 lowing:

18 “(7) PROJECT SELECTION TRANSPARENCY AND
 19 ACCOUNTABILITY.—Projects included in the adopted
 20 transportation plan shall be selected through a pub-
 21 licly available transparent process that includes use
 22 of criteria that directly support factors in subsection
 23 (h), the national transportation goals under section
 24 150(b), and applicable State transportation goals.

1 The criteria shall be used to publicly categorize the
2 highest performing projects.”.

3 (b) METROPOLITAN TIP.—Section 5303(j)(2)(A) of
4 chapter 53 of title 49, United States Code is amended by
5 adding after the period at the end the following:

6 “Projects included in the priority list shall come from
7 the highest performing category of projects identified in
8 the transportation plan under subsection (i)(7). If a lower-
9 categorized project is included in the priority project list,
10 a public description shall be included to explain why the
11 lower-categorized project is included before a higher-cat-
12 egorized project, including geographic balance and
13 projects in economically distressed areas.”.

14 **SEC. 5. STATEWIDE AND NONMETROPOLITAN TRANSPOR-**
15 **TATION PLANNING.**

16 (a) LONG-RANGE STATEWIDE TRANSPORTATION
17 PLAN.—Section 5304(f) of chapter 53 of title 49, United
18 States Code, is amended—

19 (1) by redesignating paragraph (9) as para-
20 graph (10); and

21 (2) by inserting after paragraph (8) the fol-
22 lowing:

23 “(9) PROJECT SELECTION TRANSPARENCY AND
24 ACCOUNTABILITY.—Projects included in the adopted
25 long-range statewide transportation plan shall be se-

1 lected through a publicly available transparent proc-
2 ess that includes use of criteria that directly support
3 factors in subsection (d), the national transportation
4 goals under section 150(b), and applicable State
5 transportation goals. The criteria shall be used to
6 publicly categorize the highest performing projects.”.

7 (b) STATEWIDE TRANSPORTATION IMPROVEMENT
8 PLAN.—Section 5304(g)(5)(A) of chapter 53 of title 49,
9 United States Code, is amended by adding after the period
10 at the end the following:

11 “Projects included in the statewide transportation
12 improvement program shall come from the highest per-
13 forming category of projects identified in the transpor-
14 tation plan under subsection (f)(9). If a lower-categorized
15 project is included in the priority project list, a public de-
16 scription shall be included to explain why the lower-cat-
17 egorized project is included before a higher-categorized
18 project, including geographic balance and projects in eco-
19 nomically distresses areas.”.

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