

117TH CONGRESS  
2D SESSION

# H. R. 6688

To amend title 23 and title 49, United States Code, to remove transit-oriented development projects as projects eligible for assistance under the transportation infrastructure finance and innovation program and the railroad rehabilitation and improvement financing program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2022

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

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## A BILL

To amend title 23 and title 49, United States Code, to remove transit-oriented development projects as projects eligible for assistance under the transportation infrastructure finance and innovation program and the railroad rehabilitation and improvement financing program, and for other purposes.

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 “Negating Obligations  
5       for Transit-Oriented Developments Act” or the “NO TOD  
6       Act”.

1 **SEC. 2. TRANSPORTATION INFRASTRUCTURE FINANCE AND**  
2 **INNOVATION PROGRAM.**

3 (a) GENERALLY APPLICABLE PROVISIONS.—Section  
4 601(a)(12) of title 23, United States Code, is amended—

5 (1) by striking subparagraph (E); and

6 (2) by redesignating subparagraphs (F)  
7 through (H) as subparagraphs (E) through (G), re-  
8 spectively.

9 (b) DETERMINATION OF ELIGIBILITY AND PROJECT  
10 SELECTION.—Section 602(a) of title 23, United States  
11 Code, is amended—

12 (1) in paragraph (5)(B)—

13 (A) by striking clause (ii); and

14 (B) by redesignating clauses (iii) and (iv)  
15 as clauses (ii) and (iii), respectively; and

16 (2) by adding at the end the following:

17 “(12) INELIGIBLE PROJECTS.—

18 “(A) IN GENERAL.—Notwithstanding any  
19 other provision of law, a transit-oriented devel-  
20 opment project shall not be eligible to receive  
21 assistance under the TIFIA program.

22 “(B) DEFINITION.—In this paragraph, the  
23 term ‘transit-oriented development project’  
24 means a project or components of a project de-  
25 signed for commercial or residential use.”.

1 (c) CONFORMING AMENDMENT.—Section 608(a)(4)  
 2 of title 23, United States Code, is amended by striking  
 3 “(A) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—”  
 4 and all that follows through “(B) AIRPORT-RELATED  
 5 PROJECTS.—”.

6 (d) APPLICABILITY.—This section and the amend-  
 7 ments made by this section shall apply to project applica-  
 8 tions submitted on or after the date of enactment of this  
 9 Act.

10 **SEC. 3. RAILROAD REHABILITATION AND IMPROVEMENT**  
 11 **FINANCING.**

12 (a) IN GENERAL.—Section 22402 of title 49, United  
 13 States Code, is amended—

14 (1) in subsection (b)(1)—

15 (A) in subparagraph (D) by inserting “or”  
 16 at the end;

17 (B) in subparagraph (E) by striking “; or”  
 18 and inserting a period at the end; and

19 (C) by striking subparagraph (F); and

20 (2) in subsection (c)(6) by striking “and in-  
 21 crease transit-oriented development”.

22 (b) APPLICABILITY.—This section and the amend-  
 23 ments made by this section shall apply to applications for  
 24 direct loans or guaranteed loans submitted on or after the  
 25 date of enactment of this Act.

1 **SEC. 4. ELIMINATION OF TRANSIT-ORIENTED DEVELOP-**  
2 **MENT PLANNING PILOT PROGRAM.**

3 Section 20005 of MAP-21 (49 U.S.C. 5303 note;  
4 Public Law 112-141) is amended by striking subsection  
5 (b).

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