

117TH CONGRESS
1ST SESSION

H. R. 3908

To amend title 23, United States Code, to provide for funding for off-system bridges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2021

Mr. LAMB (for himself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to provide for funding for off-system bridges, 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 “Support for Commu-
5 nity Bridges Act”.

6 **SEC. 2. OFF-SYSTEM BRIDGE PROGRAM.**

7 (a) DEFINITIONS.—Section 101(a) of title 23, United
8 States Code, is amended—

9 (1) by redesignating paragraphs (17) through
10 (34) as paragraphs (18) through (35); and

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

3 “(17) OFF-SYSTEM BRIDGE.—The term ‘off-
4 system bridge’ means a highway bridge located on a
5 public road, other than a bridge on a Federal-aid
6 highway.”.

7 (b) APPORTIONMENT.—Section 104 of title 23,
8 United States Code, is amended—

9 (1) in subsection (b)—

10 (A) in the matter preceding paragraph (1),
11 by striking “and to carry out section 134” and
12 inserting “to carry out section 134, and for the
13 off-system bridge program under section 171”;

14 (B) in each of paragraphs (1), (2), and
15 (3), by striking “and (6)” and inserting “(6),
16 and (7)”;

17 (C) in paragraph (4), in the matter pre-
18 ceding subparagraph (A), by striking “set aside
19 in accordance with paragraph (5)” and insert-
20 ing “set asides in accordance with paragraphs
21 (5) and (7)”;

22 (D) in paragraph (5)(A), by inserting
23 “after making the set aside in accordance with
24 paragraph (7),” after “section 167,”;

1 (E) in paragraph (6), in the matter pre-
2 ceding subparagraph (A), by striking “set aside
3 in accordance with paragraph (5)” and insert-
4 ing “set asides in accordance with paragraphs
5 (5) and (7)”; and

6 (F) by adding at the end the following:

7 “(7) OFF-SYSTEM BRIDGE PROGRAM.—

8 “(A) IN GENERAL.—For the off-system
9 bridge program under section 171, the Sec-
10 retary shall set aside from the base apporportion-
11 ment determined for a State under subsection
12 (c) an amount determined for the State under
13 subparagraphs (B) and (C).

14 “(B) TOTAL AMOUNT.—The total amount
15 set aside for the off-system bridge program for
16 all States shall be 2.5 percent of the total
17 amount made available to carry out the pro-
18 grams described in this subsection for the fiscal
19 year.

20 “(C) STATE SHARE.—

21 “(i) IN GENERAL.—For each fiscal
22 year, the Secretary shall distribute among
23 States the total amount set aside under
24 subparagraph (B) so that each State re-
25 ceives an amount equal to the sum of the

1 amounts calculated for the State under
2 each of subclauses (I) and (II) of clause
3 (ii), subject to any adjustment under
4 clause (iii).

5 “(ii) INITIAL AMOUNTS.—

6 “(I) BRIDGES IN POOR CONDI-
7 TION.—75 percent of the amount re-
8 served under subparagraph (B) shall
9 be apportioned so that each State re-
10 ceives an amount equal to the propor-
11 tion that—

12 “(aa) the total deck space of
13 off-system bridges in the State
14 that are in poor condition, as de-
15 termined by the Secretary; bears
16 to

17 “(bb) the total deck space of
18 off-system bridges in all States
19 that are in poor condition, as de-
20 termined by the Secretary.

21 “(II) BRIDGES IN OTHER THAN
22 POOR CONDITION.—25 percent of the
23 amount reserved under subparagraph
24 (B) shall be apportioned so that each

1 State receives an amount equal to the
2 proportion that—

3 “(aa) the total deck space of
4 off-system bridges in the State
5 that are not in poor condition, as
6 determined by the Secretary;
7 bears to

8 “(bb) the total deck space of
9 off-system bridges in all States
10 that are not in poor condition, as
11 determined by the Secretary.

12 “(iii) ADJUSTMENTS TO AMOUNTS.—

13 “(I) DEFINITIONS.—In this
14 clause:

15 “(aa) ADJUSTMENT
16 AMOUNT.—The term ‘adjustment
17 amount’ means the total amount
18 needed for all States that do not
19 meet the requirement under sub-
20 clause (II), based on the initial
21 calculation under clause (ii), to
22 meet that requirement.

23 “(bb) INCREASE IN
24 FUNDS.—The term ‘increase in
25 funds’, with respect to a State,

1 means the amount, expressed as
2 a percentage, that—

3 “(AA) the State would
4 receive under clause (ii);
5 compared to

6 “(BB) the amount re-
7 quired to be obligated by the
8 State for fiscal year 2021
9 for off-system bridges under
10 section 133(f)(2) (as in ef-
11 fect on the day before the
12 date of enactment of the
13 Support for Community
14 Bridges Act).

15 “(II) ADJUSTMENTS.—The Sec-
16 retary shall adjust the initial amount
17 calculated for a State under clause (ii)
18 to ensure that each State receives an
19 amount that is not less than the
20 amount required to be obligated by
21 the State for fiscal year 2021 for off-
22 system bridges under section
23 133(f)(2) (as in effect on the day be-
24 fore the date of enactment of the Sup-
25 port for Community Bridges Act).

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“(III) METHOD.—

“(aa) RANKING.—Before making adjustments under subclause (II), the Secretary shall rank each State in descending order based on the increase in funds for each State.

“(bb) REDUCTIONS.—The Secretary shall adjust amounts under subclause (II) as follows:

“(AA) By reducing the adjustment amount from the highest ranked State under item (aa), until the increase in funds of that State is equal to the increase in funds of the next-highest ranked State.

“(BB) If the amount reduced under subitem (AA) is less than the full adjustment amount, by reducing the remainder of the adjustment amount from the next-highest ranked State, until

1 the increase in funds of that
2 State is equal to the in-
3 crease in funds of the next-
4 highest ranked State.

5 “(CC) By repeating the
6 process described in subitem
7 (BB) for States in descend-
8 ing order based on the rank-
9 ing under item (aa) until the
10 full adjustment amount is
11 achieved.

12 “(DD) By reallocating
13 the adjustment amount to
14 the States that do not meet
15 the requirement under sub-
16 clause (II), based on the ini-
17 tial calculation under clause
18 (ii), in order to meet that re-
19 quirement.”;

20 (2) in subsection (c)(2), by striking “and to
21 carry out section 134” and inserting “to carry out
22 section 134, and for the off-system bridge program
23 under section 171”; and

24 (3) in subsection (i)(1), by striking “and to
25 carry out section 134” and inserting “to carry out

1 section 134, and for the off-system bridge program
2 under section 171”.

3 (c) SURFACE TRANSPORTATION BLOCK GRANT PRO-
4 GRAM.—Section 133(f) of title 23, United States Code, is
5 amended—

6 (1) by striking the subsection designation and
7 heading and all that follows through the period at
8 the end of paragraph (2)(B);

9 (2) by redesignating paragraph (3) as sub-
10 section (f) and indenting appropriately; and

11 (3) by redesignating subparagraphs (A) and
12 (B) as paragraphs (1) and (2), respectively, and in-
13 denting appropriately.

14 (d) OFF-SYSTEM BRIDGE PROGRAM.—

15 (1) IN GENERAL.—Chapter 1 of title 23, United
16 States Code, is amended by adding at the end the
17 following:

18 **“§ 171. Off-system bridge program**

19 “(a) IN GENERAL.—Subject to subsection (b), each
20 State shall use the amount apportioned to the State under
21 section 104(b)(7) for each fiscal year for the purpose of
22 repairing and maintaining off-system bridges.

23 “(b) WAIVER.—The Secretary, after consultation
24 with State and local officials, may waive the requirement
25 under subsection (a) with respect to a State if the Sec-

1 retary determines that the State has inadequate needs to
2 justify the expenditure.

3 “(c) TREATMENT OF PROJECTS.—Notwithstanding
4 any other provision of law, a project carried out under this
5 section shall be treated as if the project were on a Federal-
6 aid highway.”.

7 (2) CLERICAL AMENDMENT.—The analysis for
8 chapter 1 of title 23, United States Code, is amend-
9 ed by adding at the end the following:

“171. Off-system bridge program.”.

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