

118TH CONGRESS
1ST SESSION

H. R. 4131

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2023

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

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—

3 (1) by striking subparagraph (A); and

4 (2) by striking “(B) AIRPORT-RELATED
5 PROJECTS” and all that follows through “The Sec-
6 retary” and inserting “The Secretary”.

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

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

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

15 (1) in subsection (b)(1)—

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

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

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

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

23 (b) APPLICABILITY.—This section and the amend-
24 ments made by this section shall apply to applications for

1 direct loans or guaranteed loans submitted on or after the
2 date of enactment of this Act.

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

5 Section 20005 of MAP-21 (49 U.S.C. 5303 note) is
6 amended by striking subsection (b).

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