

118TH CONGRESS  
1ST SESSION

# S. 1440

To establish a program to award grants to entities that provide transportation connectors from critically underserved communities to green spaces, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 4, 2023

Mr. BOOKER (for himself, Mr. MARKEY, Mr. PADILLA, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. SANDERS, Mr. WYDEN, Ms. DUCKWORTH, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To establish a program to award grants to entities that provide transportation connectors from critically underserved communities to green spaces, 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 “Transit to Trails Act”.

5       **SEC. 2. TRANSIT TO TRAILS GRANT PROGRAM.**

6       (a) **DEFINITIONS.**—In this section:

1           (1) COMMUNITY OF COLOR.—The term “com-  
 2           munity of color” means a geographically distinct  
 3           area in which the population of any of the following  
 4           categories of individuals is higher than the average  
 5           population of that category for the State in which  
 6           the community is located:

7                   (A) Black.

8                   (B) African American.

9                   (C) Asian.

10                  (D) Pacific Islander.

11                  (E) Other non-White race.

12                  (F) Hispanic.

13                  (G) Latino.

14                  (H) Linguistically isolated.

15                  (I) Middle Eastern and North African.

16           (2) CRITICALLY UNDERSERVED COMMUNITY.—  
 17           The term “critically underserved community”  
 18           means—

19                   (A) a community that can demonstrate to  
 20                   the Secretary that the community has inad-  
 21                   equately, insufficient, or no park space or recre-  
 22                   ation facilities, including by demonstrating—

23                           (i) quality concerns relating to the  
 24                           available park space or recreation facilities;

1 (ii) the presence of recreational facili-  
2 ties that do not serve the needs of the com-  
3 munity; or

4 (iii) the inequitable distribution of  
5 park space for high-need populations,  
6 based on income, age, or other measures of  
7 vulnerability and need;

8 (B) a community in which at least 50 per-  
9 cent of the population is not located within  $\frac{1}{2}$   
10 mile of park space;

11 (C) an environmental justice community;  
12 or

13 (D) any other community that the Sec-  
14 retary determines to be appropriate.

15 (3) DESIGNATED SERVICE AREA.—The term  
16 “designated service area” means a geographical area  
17 recommended by a designated official planning agen-  
18 cy that defines the community in which coordinated  
19 transportation services are provided to the transpor-  
20 tation disadvantaged.

21 (4) ELIGIBLE ENTITY.—The term “eligible enti-  
22 ty” means—

23 (A) a State;

1 (B) a political subdivision of a State (in-  
2 cluding a city or a county) that represents or  
3 otherwise serves an urban area or a rural area;

4 (C) a special purpose district (including a  
5 park district);

6 (D) an Indian Tribe (as defined in section  
7 4 of the Indian Self-Determination and Edu-  
8 cation Assistance Act (25 U.S.C. 5304)) that  
9 represents or otherwise serves an urban area or  
10 a rural area; or

11 (E) a metropolitan planning organization  
12 (as defined in section 134(b) of title 23, United  
13 States Code).

14 (5) ENVIRONMENTAL JUSTICE COMMUNITY.—  
15 The term “environmental justice community” means  
16 a community with significant representation of com-  
17 munities of color, low-income communities, or Tribal  
18 and Indigenous communities that experiences, or is  
19 at risk of experiencing, a disproportionate burden of  
20 adverse human health or environmental effects.

21 (6) LOW-INCOME COMMUNITY.—The term “low-  
22 income community” means any census block group  
23 in which 30 percent or more of the population are  
24 individuals with an annual household income equal  
25 to, or less than, the greater of—

1 (A) an amount equal to 80 percent of the  
2 median income of the area in which the house-  
3 hold is located, as reported by the Department  
4 of Housing and Urban Development; and

5 (B) 200 percent of the Federal poverty  
6 line.

7 (7) PROGRAM.—The term “program” means  
8 the Transit to Trails Grant Program established  
9 under subsection (b)(1).

10 (8) RURAL AREA.—The term “rural area”  
11 means a community that is not an urban area.

12 (9) SECRETARY.—The term “Secretary” means  
13 the Secretary of Transportation.

14 (10) TRANSPORTATION CONNECTOR.—

15 (A) IN GENERAL.—The term “transportation  
16 connector” means a system that—

17 (i) connects 2 ZIP Codes or commu-  
18 nities within a 175-mile radius of a des-  
19 ignated service area; and

20 (ii) offers rides available to the public.

21 (B) INCLUSIONS.—The term “transportation  
22 connector” includes microtransit, bus  
23 lines, bus rails, light rail, rapid transit, and per-  
24 sonal rapid transit.

1           (11) URBAN AREA.—The term “urban area”  
2 means a community that—

3                   (A) is densely developed;

4                   (B) has residential, commercial, and other  
5 nonresidential areas; and

6                   (C)(i) is an urbanized area with a popu-  
7 lation of 50,000 or more; or

8                   (ii) is an urban cluster with a population  
9 of—

10                           (I) not less than 2,500; and

11                           (II) not more than 50,000.

12 (b) GRANT PROGRAM.—

13           (1) ESTABLISHMENT.—The Secretary shall es-  
14 tablish a grant program, to be known as the “Tran-  
15 sit to Trails Grant Program”, under which the Sec-  
16 retary shall award grants to eligible entities for—

17                   (A) projects that develop transportation  
18 connectors or routes in or serving, and related  
19 culturally and linguistically appropriate edu-  
20 cation materials for, critically underserved com-  
21 munities to increase access and mobility to Fed-  
22 eral or non-Federal public land, waters, park-  
23 land, or monuments; or

24                   (B) projects that facilitate transportation  
25 improvements to enhance access to Federal or

1 non-Federal public land and recreational oppor-  
2 tunities in critically underserved communities.

3 (2) ADMINISTRATION.—

4 (A) IN GENERAL.—The Secretary shall ad-  
5 minister the program to assist eligible entities  
6 in the development of transportation connectors  
7 or routes in or serving, and related culturally  
8 and linguistically appropriate education mate-  
9 rials for, critically underserved communities and  
10 Federal or non-Federal public land, waters,  
11 parkland, and monuments.

12 (B) JOINT PARTNERSHIPS.—The Secretary  
13 shall encourage joint partnership projects under  
14 the program, if available, among multiple agen-  
15 cies, including school districts, nonprofit organi-  
16 zations, metropolitan planning organizations,  
17 regional transportation authorities, transit  
18 agencies, and State and local governmental  
19 agencies (including park and recreation agen-  
20 cies and authorities) to enhance investment of  
21 public sources.

22 (C) ANNUAL GRANT PROJECT PROPOSAL  
23 SOLICITATION, REVIEW, AND APPROVAL.—

24 (i) IN GENERAL.—The Secretary  
25 shall—

1 (I) annually solicit the submission of project proposals for grants  
2 from eligible entities under the program; and  
3  
4

5 (II) review each project proposal submitted under subclause (I) on a  
6 timeline established by the Secretary.  
7

8 (ii) REQUIRED ELEMENTS FOR PROJECT PROPOSAL.—A project proposal  
9 submitted under clause (i)(I) shall include—  
10  
11

12 (I) a statement of the purposes of the project;  
13

14 (II) the name of the entity or individual with overall responsibility for  
15 the project;  
16

17 (III) a description of the qualifications of the entity or individuals  
18 identified under subclause (II);  
19

20 (IV) a description of—

21 (aa) staffing and stakeholder engagement for the  
22 project;  
23

24 (bb) the logistics of the project; and  
25



1 (cc) anticipated outcomes of  
2 the project;

3 (V) a proposed budget for the  
4 funds and time required to complete  
5 the project;

6 (VI) information regarding the  
7 source and amount of matching fund-  
8 ing available for the project;

9 (VII) information that dem-  
10 onstrates the clear potential of the  
11 project to contribute to increased ac-  
12 cess to parkland for critically under-  
13 served communities; and

14 (VIII) any other information that  
15 the Secretary considers to be nec-  
16 essary for evaluating the eligibility of  
17 the project for funding under the pro-  
18 gram.

19 (D) PRIORITY.—To the extent practicable,  
20 in determining whether to approve project pro-  
21 posals under the program, the Secretary shall  
22 prioritize projects that—

23 (i) are designed to increase access and  
24 mobility to local or neighborhood Federal  
25 or non-Federal public land, waters, park-

1 land, monuments, or recreational opportu-  
2 nities;

3 (ii) use low- or no-emission vehicles;

4 (iii) provide free or discounted rates  
5 for low-income riders;

6 (iv) provide opportunities for youth  
7 engagement;

8 (v) provide employment preference to  
9 individuals who reside in the community in  
10 which the project is located;

11 (vi) are established in communities of  
12 color, low-income communities, Tribal or  
13 indigenous communities, or rural areas;

14 (vii) would capitalize on existing es-  
15 tablished public-private partnerships; and

16 (viii) comply with applicable provi-  
17 sions of the Americans with Disabilities  
18 Act of 1990 (42 U.S.C. 12101 et seq.).

19 (3) TRANSPORTATION PLANNING PROCE-  
20 DURES.—

21 (A) PROCEDURES.—In consultation with  
22 the head of each appropriate Federal land man-  
23 agement agency, the Secretary shall develop, by  
24 rule, transportation planning procedures for  
25 projects conducted under the program that are

1 consistent with metropolitan and statewide  
2 planning processes.

3 (B) REQUIREMENTS.—In carrying out the  
4 program, the Secretary shall ensure the fol-  
5 lowing:

6 (i) All projects carried out under the  
7 program shall comply with sections 5303  
8 and 5304 of title 49, United States Code.

9 (ii) All new transportation connectors  
10 and routes established under a project car-  
11 ried out under the program shall be acces-  
12 sible in accordance with the accessibility  
13 specifications for transportation vehicles  
14 under the Americans with Disabilities Act  
15 of 1990 (42 U.S.C. 12101 et seq.).

16 (iii) State department of transpor-  
17 tation agencies shall engage with relevant  
18 stakeholders consistent with subsections  
19 (f)(3) and (g)(3) of section 5304 of title  
20 49, United States Code, and metropolitan  
21 planning organizations shall engage with  
22 relevant stakeholders consistent with sub-  
23 sections (g)(3)(B), (i)(5), and (i)(6) of sec-  
24 tion 5303 of that title, in addition to faith-  
25 based and community-based organizations.

1                   (iv) Except as otherwise provided  
2                   under this section, a grant provided under  
3                   this section shall be subject to the require-  
4                   ments of section 5307 of title 49, United  
5                   States Code.

6                   (4) NON-FEDERAL CONTRIBUTIONS.—

7                   (A) IN GENERAL.—The Federal share of  
8                   the cost of an eligible project provided a grant  
9                   under the program shall not exceed 80 percent.

10                  (B) NON-FEDERAL SHARE.—The non-Fed-  
11                  eral share of the cost of an eligible project pro-  
12                  vided a grant under the program may be in the  
13                  form of in-kind contributions.

14                  (5) ELIGIBLE USES.—Grant funds provided  
15                  under the program may be used—

16                  (A) to develop transportation connectors or  
17                  routes in or serving, and related culturally and  
18                  linguistically appropriate education materials  
19                  for, critically underserved communities to in-  
20                  crease access and mobility to Federal and non-  
21                  Federal public land, waters, parkland, and  
22                  monuments; and

23                  (B) to create or significantly enhance ac-  
24                  cess to Federal or non-Federal public land and

1 recreational opportunities in an urban area or  
2 a rural area.

3 (6) GRANT AMOUNT.—A grant provided under  
4 the program shall be in an amount that is—

5 (A) not less than \$25,000; and

6 (B) not more than \$500,000.

7 (7) TECHNICAL ASSISTANCE.—It is the intent  
8 of Congress that grants provided under the program  
9 deliver project funds to areas of greatest need while  
10 offering technical assistance to all applicants and po-  
11 tential applicants for grant preparation to encourage  
12 full participation in the program.

13 (8) PUBLIC INFORMATION.—The Secretary  
14 shall ensure that current schedules and routes for  
15 transportation systems developed with funds from a  
16 grant under the program are available to the public,  
17 including on a website maintained by the eligible en-  
18 tity.

19 (c) REPORTING REQUIREMENT.—

20 (1) REPORTS BY GRANT RECIPIENTS.—The  
21 Secretary shall require an eligible entity that re-  
22 ceives a grant under the program to submit to the  
23 Secretary not less than 1 performance and financial  
24 report that—

25 (A) includes—

1 (i) demographic data on communities  
2 served by the project; and

3 (ii) a summary of project activities  
4 conducted after receiving the grant; and

5 (B) describes the status of each project  
6 funded by the grant as of the date of the re-  
7 port.

8 (2) ADDITIONAL REPORTS.—In addition to the  
9 report under paragraph (1), the Secretary may re-  
10 quire additional reports from an eligible entity that  
11 receives a grant under the program, as the Secretary  
12 determines to be appropriate, including a final re-  
13 port.

14 (3) DEADLINES.—The Secretary shall establish  
15 deadlines for the submission of each report required  
16 under paragraph (1) or (2).

17 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated to carry out this sec-  
19 tion—

20 (1) \$10,000,000 for each of the first and sec-  
21 ond fiscal years that begin after the date of enact-  
22 ment of this Act;

23 (2) \$20,000,000 for each of the third and  
24 fourth fiscal years that begin after that date; and

- 1           (3) \$40,000,000 for the fifth fiscal year that
- 2           begins after that date.

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