

117TH CONGRESS  
1ST SESSION

# S. 1717

To establish a community-driven decision-making pilot program to demonstrate enhanced community-based decision making in the transportation planning process, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 19, 2021

Mr. MERKLEY (for himself and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To establish a community-driven decision-making pilot program to demonstrate enhanced community-based decision making in the transportation planning process, 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. COMMUNITY-DRIVEN DECISION-MAKING PILOT**  
4 **PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) COMMUNITY-BASED ORGANIZATION.—The  
7 term “community-based organization” means a pri-

1 vate, locally initiated, community-based organization  
2 that—

3 (A) is a nonprofit organization described in  
4 section 501(c) of the Internal Revenue Code of  
5 1986 and exempt from taxation under section  
6 501(a) of that Code; and

7 (B) has a Board of Directors that rep-  
8 resent a majority of residents of the area served  
9 by the organization.

10 (2) ELIGIBLE PARTNERSHIP.—The term “eligi-  
11 ble partnership” means a partnership between—

12 (A) 1 or more local transportation plan-  
13 ning agencies, including at least 1 of—

14 (i) a metropolitan planning organiza-  
15 tion (as defined in section 134(b) of title  
16 23, United States Code);

17 (ii) a regional transportation planning  
18 organization designated under section  
19 135(m) of title 23, United States Code;

20 (iii) a municipal corporation;

21 (iv) a county; or

22 (v) any other unit of local govern-  
23 ment; and

24 (B) a community-based organization.

1           (3) PILOT PROGRAM.—The term “pilot pro-  
2           gram” means the community-driven decision-making  
3           pilot program established under subsection (b)(1).

4           (4) SECRETARY.—The term “Secretary” means  
5           the Secretary of Transportation.

6           (b) ESTABLISHMENT.—

7           (1) IN GENERAL.—The Secretary shall establish  
8           a community-driven decision-making pilot program  
9           to provide grants to eligible partnerships.

10          (2) PURPOSE.—The purpose of the pilot pro-  
11          gram shall be to demonstrate enhanced community-  
12          based decision making in the transportation plan-  
13          ning process by supporting partnerships between  
14          local transportation planning agencies and commu-  
15          nity-based organizations which will serve as models  
16          for other communities to deepen and strengthen  
17          community engagement in transportation planning  
18          processes.

19          (c) APPLICATIONS.—To be eligible to receive a grant  
20          under the pilot program, an eligible partnership shall sub-  
21          mit to the Secretary an application at such time, in such  
22          manner, and containing such information as the Secretary  
23          may require.

24          (d) ELIGIBLE COSTS.—

1           (1) IN GENERAL.—An eligible partnership that  
2 receives a grant under the pilot program may use  
3 the grant funds for—

4           (A) personnel costs, including costs—

5                 (i) to support employees of the com-  
6 munity-based organization to enable the  
7 organization to engage with the community  
8 during the transportation planning process;  
9 and

10                (ii) to support employees of the local  
11 transportation planning agency in con-  
12 ducting more robust public engagement;

13           (B) materials and technology to support  
14 community engagement, including physical and  
15 digital presentation of data and polling;

16           (C) training for personnel to improve the  
17 ability of the personnel to pursue and incor-  
18 porate public input in the transportation plan-  
19 ning process;

20           (D) training for the community-based or-  
21 ganization and residents of the community in  
22 the basics of transportation planning;

23           (E) facilitation of public meetings, includ-  
24 ing publicity, food, and provision of childcare;

1 (F) stipends for community participants  
2 for expenses relating to engagement in the  
3 transportation planning process; and

4 (G) hiring and training of street teams to  
5 engage in public outreach relating to the trans-  
6 portation planning process, including the use of  
7 questionnaires and the solicitation of ongoing  
8 feedback.

9 (2) ADMINISTRATIVE COSTS.—An eligible part-  
10 nership may use not more than 5 percent of the  
11 funds from a grant under the pilot program for ad-  
12 ministrative costs.

13 (3) LIMITATION.—A community-based organi-  
14 zation that is part of an eligible partnership that re-  
15 ceives a grant under the pilot program shall only  
16 carry out activities under the pilot program relating  
17 to community engagement and outreach.

18 (e) REQUIREMENTS.—An eligible partnership that re-  
19 ceives a grant under the pilot program shall—

20 (1) submit to the Secretary a public engage-  
21 ment plan that—

22 (A) provides a direct role for community  
23 members in determining the priorities for and  
24 outcomes of a transportation planning process  
25 that will impact the community; and

1 (B) includes—

2 (i) a description of how the eligible  
3 partnership will provide an increase in ca-  
4 pacity for the community-based organiza-  
5 tion for 1 or more employees to engage di-  
6 rectly in the transportation planning proc-  
7 ess;

8 (ii) a description of how the eligible  
9 partnership will provide dedicated per-  
10 sonnel within the local transportation plan-  
11 ning agency for engagement with the com-  
12 munity-based organization partner and for  
13 solicitation and incorporation of commu-  
14 nity input; and

15 (iii) specific and detailed strategies to  
16 ensure broad and equitable community  
17 input from traditionally underrepresented  
18 members of the community, especially low-  
19 income residents and people of color;

20 (2) ensure that—

21 (A) substantial weight is given to commu-  
22 nity input throughout the planning process, in-  
23 cluding in establishing goals and determining  
24 priority projects; and

1 (B) there is documentation of the extent to  
2 which community input is incorporated or the  
3 reasons for not incorporating community input;

4 (3) ensure that all strategies described in para-  
5 graph (1)(B)(iii) are broadly accessible to people  
6 with disabilities in accordance with the Americans  
7 with Disabilities Act of 1990 (42 U.S.C. 12101 et  
8 seq.); and

9 (4) provide, in accessible formats that are easily  
10 understandable to the public, access to information  
11 including, at a minimum—

12 (A) data about travel patterns and de-  
13 mand, including data relating to induced de-  
14 mand and multimodal accessibility;

15 (B) any performance targets established  
16 pursuant to section 150 of title 23, United  
17 States Code, the achievement of which might be  
18 impacted by any projects or priorities under  
19 consideration; and

20 (C) the impacts of transportation priorities  
21 set and projects under consideration on specific  
22 neighborhoods and communities, including dis-  
23 parate impacts on traditionally disadvantaged  
24 communities.

25 (f) REPORTS.—

1           (1) REPORT TO SECRETARY.—After carrying  
2 out all activities with a grant under the pilot pro-  
3 gram, each eligible partnership shall submit to the  
4 Secretary a report that describes—

5                   (A) the activities that were carried out  
6 with the grant funds;

7                   (B) the effect on community engagement  
8 on the activities carried out with the grant  
9 funds; and

10                   (C) the extent of cooperation between the  
11 community-based organization and the 1 or  
12 more local transportation planning agencies in  
13 the eligible partnership.

14           (2) REPORT TO CONGRESS.—Not later than 5  
15 years after the date of enactment of this Act, the  
16 Secretary shall submit to Congress a report on the  
17 effectiveness of the pilot program, including—

18                   (A) lessons learned with respect to commu-  
19 nity engagement in transportation planning;  
20 and

21                   (B) recommendations for future Federal  
22 support of community engagement efforts in  
23 transportation planning.

1 (g) PUBLICATION.—The Secretary shall make pub-  
2 licly available on the website of the Department of Trans-  
3 portation—

4 (1) public engagement reports submitted by eli-  
5 gible partnerships under subsection (e)(1);

6 (2) reports submitted to the Secretary under  
7 subsection (f)(1); and

8 (3) the report submitted to Congress under  
9 subsection (f)(2).

10 (h) MAXIMUM AMOUNT.—A grant under the pilot  
11 program shall be not more than \$400,000.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 authorized to be appropriated out of the Highway Trust  
14 Fund (other than the Mass Transit Account) to carry out  
15 the pilot program \$4,200,000 for fiscal year 2022, to re-  
16 main available until expended.

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