

111TH CONGRESS
1ST SESSION

S. 308

To amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2009

Mr. BAUCUS (for himself, Mr. TESTER, Mr. THUNE, Mr. CONRAD, Mr. CRAPO, and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, 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 “Rural Opportunity and
5 Development Act” or the “ROAD Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that investment in highway preserva-
3 tion and improvement is essential to the economic develop-
4 ment and well-being of rural areas.

5 **SEC. 3. RURAL OPPORTUNITY AND DEVELOPMENT PRO-**
6 **GRAM.**

7 (a) IN GENERAL.—Subchapter I of chapter 1 of title
8 23, United States Code, is amended by inserting after sec-
9 tion 149 the following:

10 **“§ 150. Rural opportunity and development program**

11 “(a) ESTABLISHMENT.—The Secretary shall estab-
12 lish and implement a rural opportunity and development
13 program to promote opportunity and economic develop-
14 ment in rural States by allocating funds to States for the
15 preservation and improvement of highways.

16 “(b) STATE ALLOCATIONS.—

17 “(1) IN GENERAL.—Funds authorized to be ap-
18 propriated for the program established under sub-
19 section (a) shall be allocated for each fiscal year
20 among States in accordance with this subsection.

21 “(2) STATE SHARES.—The Secretary shall de-
22 termine the number of shares to be allocated among
23 eligible States by assigning—

24 “(A) 6 shares to each State with a popu-
25 lation density of 20 or fewer individuals per
26 square mile of land area;

1 “(B) 3 shares to each State with a popu-
2 lation density of between 20 and 40 individuals
3 per square mile of land area;

4 “(C) 1 share to each State with a popu-
5 lation density of between 40 and 70 individuals
6 per square mile of land area; and

7 “(D) 1 share to each State that has more
8 than 57,000 square miles of land area and a
9 population density of greater than 70 individ-
10 uals per square mile of land area.

11 “(3) USE OF 2000 DECENNIAL CENSUS.—In de-
12 termining the population density of States under
13 paragraph (2), the Secretary shall use data con-
14 tained in the 2000 decennial census.

15 “(4) CALCULATION OF SHARES.—For each fis-
16 cal year, for each share assigned to a State under
17 paragraph (2), the Secretary shall allocate to such
18 State an amount equal to the quotient obtained by
19 dividing—

20 “(A) \$1,000,000,000; by

21 “(B) the total number of shares assigned
22 under paragraph (2) for the fiscal year.

23 “(c) USE OF FUNDS.—Funds allocated to a State for
24 the program established under subsection (a)—

1 “(1) may be used for any type of project eligi-
2 ble under section 133;

3 “(2) are not subject to other provisions of sec-
4 tion 133; and

5 “(3) may not be expended on projects located
6 within the geographical boundaries of an area that
7 has been identified or designated as a transportation
8 management area under section 134(k)(1).”.

9 (b) CONFORMING AMENDMENT.—The analysis for
10 chapter 1 of title 23, United States Code, is amended by
11 inserting after the item relating to section 149 the fol-
12 lowing:

 “150. Rural opportunity and development program.”.

13 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

14 From amounts available in the Highway Trust Fund
15 (other than the Mass Transit Account), there is author-
16 ized to be appropriated, for fiscal year 2010 and for each
17 subsequent fiscal year, \$1,000,000,000, which—

18 (1) shall be used for the rural opportunity and
19 development program established under section 150
20 of title 23, United States Code;

21 (2) shall remain available until expended; and

22 (3)(A) shall be available for obligation as if the
23 funds were apportioned under chapter 1 of title 23,
24 United States Code; but

1 (B) shall not be subject to any limitation on ob-
2 ligations.

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