

115TH CONGRESS  
1ST SESSION

# H. R. 1028

To amend titles 23 and 49, United States Code, with respect to congestion mitigation and metropolitan transportation planning, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2017

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

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## A BILL

To amend titles 23 and 49, United States Code, with respect to congestion mitigation and metropolitan transportation planning, 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 “Commuter Less Act  
5 of 2017”.

6 **SEC. 2. METROPOLITAN TRANSPORTATION PLANNING.**

7 (a) DEFINITIONS.—Section 5303(b) of title 49,  
8 United States Code, is amended—

9 (1) by redesignating paragraph (7) as para-  
10 graph (9);

1           (2) by redesignating paragraphs (1) through  
2           (6) as paragraphs (2) through (7), respectively;

3           (3) by inserting before paragraph (2) (as so re-  
4           designated by paragraph (2) of this subsection) the  
5           following:

6           “(1) EMPLOYER-BASED COMMUTER PRO-  
7           GRAM.—The term ‘employer-based commuter pro-  
8           gram’ means a program implemented by an em-  
9           ployer that provides employees of that employer with  
10          alternatives to driving to and from work in a vehicle  
11          occupied by a single individual, including the fol-  
12          lowing:

13                   “(A) A carpool program.

14                   “(B) A vanpool program.

15                   “(C) A transit benefit program.

16                   “(D) A parking cash-out program.

17                   “(E) A shuttle program.

18                   “(F) A telework program.”; and

19          (4) by inserting before paragraph (9) (as so re-  
20          designated by paragraph (1) of this subsection) the  
21          following:

22          “(8) TRANSPORTATION MANAGEMENT ORGANI-  
23          ZATION.—The term ‘transportation management or-  
24          ganization’ means a local, regional, or statewide as-  
25          sociation of employers established for the purpose of

1 providing employees of those employers with alter-  
2 natives to driving to and from work in a vehicle oc-  
3 cupied by a single individual.”.

4 (b) DEVELOPMENT OF TRANSPORTATION PLAN.—

5 (1) TRANSPORTATION PLAN.—Section  
6 5303(i)(2) of title 49, United States Code, is amend-  
7 ed by adding at the end the following:

8 “(I) EMPLOYER OUTREACH ACTIVITIES  
9 AND STRATEGIES.—Proposed activities and  
10 strategies to provide outreach to employers and  
11 transportation management organizations to fa-  
12 cilitate the creation and expansion of employer-  
13 based commuter programs.”.

14 (2) PARTICIPATION BY INTERESTED PAR-  
15 TIES.—Section 5303(i)(6)(A) of title 49, United  
16 States Code, is amended—

17 (A) by striking “, employer-based com-  
18 muting programs, such as a carpool program,  
19 vanpool program, transit benefit program, park-  
20 ing cash-out program, shuttle program, or  
21 telework program”; and

22 (B) by inserting after “the disabled,” the  
23 following: “representatives of employers, em-  
24 ployer-based commuter programs, and transpor-  
25 tation management organizations,”.

1           (c) METROPOLITAN TIP.—Section 5303(j)(2)(A) of  
2 title 49, United States Code, is amended by striking the  
3 period at the end and inserting “, including projects iden-  
4 tified in a relevant commuter trip reduction plan developed  
5 under subsection (s).”.

6           (d) TRANSPORTATION MANAGEMENT AREAS.—Sec-  
7 tion 5303(k)(3) of title 49, United States Code, is amend-  
8 ed—

9           (1) in subparagraph (A) by striking “operators,  
10 employer-based commuting programs, such as a car-  
11 pool program, vanpool program, transit benefit pro-  
12 gram, parking cash-out program, shuttle program,  
13 or telework program” and inserting “operations and  
14 employer-based commuter programs”;

15           (2) by striking subparagraphs (C) and (D); and

16           (3) by adding at the end the following:

17           “(C) EMPLOYER INVOLVEMENT.—A proc-  
18 ess for addressing congestion management  
19 under subparagraph (A) shall be developed in  
20 coordination with any relevant employer advi-  
21 sory council established under subsection (s)  
22 and shall include projects identified in the com-  
23 muter trip reduction plan of that council.”.

24           (e) EMPLOYER ADVISORY COUNCILS AND INFORMA-  
25 TION CLEARINGHOUSE.—Section 5303 of title 49, United

1 States Code, is amended by adding at the end the fol-  
2 lowing:

3 “(s) EMPLOYER ADVISORY COUNCILS.—

4 “(1) IN GENERAL.—Each metropolitan plan-  
5 ning organization serving a transportation manage-  
6 ment area shall establish an employer advisory coun-  
7 cil that consists of representatives of employers in  
8 the area served by the metropolitan planning organi-  
9 zation.

10 “(2) MEMBERSHIP.—

11 “(A) IN GENERAL.—An employer advisory  
12 council shall consist of not less than 7 rep-  
13 resentatives of employers and representatives of  
14 identified transportation management organiza-  
15 tions in the area served by the relevant metro-  
16 politan planning organization.

17 “(B) ENSURING A DIVERSE CROSS-SEC-  
18 TION OF EMPLOYERS.—In establishing an em-  
19 ployer advisory council, a metropolitan planning  
20 organization, to the extent practicable, shall en-  
21 sure that the membership of the council in-  
22 cludes a diverse cross-section of employers from  
23 the area served by the organization.

24 “(3) COMMUTER TRIP REDUCTION PLAN.—An  
25 employer advisory council established under para-

1 graph (1) shall develop and maintain a commuter  
2 trip reduction plan that identifies—

3 “(A) commuting patterns in the area  
4 served by the relevant metropolitan planning or-  
5 ganization;

6 “(B) area goals for the reduction of vehicle  
7 miles traveled during peak commuting hours;

8 “(C) existing and proposed employer-based  
9 commuter programs in the area;

10 “(D) a series of projects and activities to  
11 facilitate achievement of the goals identified  
12 under subparagraph (B); and

13 “(E) a financing plan for the projects and  
14 activities identified under subparagraph (D).

15 “(t) INFORMATION CLEARINGHOUSE.—The Sec-  
16 retary is authorized to make a grant to a national non-  
17 profit organization engaged in efforts relating to em-  
18 ployer-based commuter programs or another entity to—

19 “(1) establish and operate an information clear-  
20 inghouse relating to employer investment in trans-  
21 portation and employer-based commuter programs;

22 “(2) develop an education program with respect  
23 to employer investment in transportation and em-  
24 ployer-based commuter programs; and



1 be made available to the Secretary for review upon  
2 the request of the Secretary.”.

3 **SEC. 4. EMPLOYER-BASED COMMUTER PROGRAMS ACTION**  
4 **PLAN.**

5 (a) IN GENERAL.—The Secretary of Transportation  
6 shall develop and implement a plan to expand and promote  
7 employer-based commuter programs (as defined in section  
8 5303(b) of title 49, United States Code).

9 (b) CONTENTS.—The plan developed under sub-  
10 section (a) shall include plans—

11 (1) to amend existing regulations and guidance  
12 and, if necessary, develop new regulations and guid-  
13 ance to ensure that employer-based commuter pro-  
14 grams are integrated, to the extent possible, into all  
15 appropriate Federal transportation programs;

16 (2) to identify best practices with respect to  
17 employer-based commuter programs;

18 (3) to research the effectiveness and efficiency  
19 of employer-based commuter programs; and

20 (4) to create a national and regional peer ex-  
21 change program to ensure that developments with  
22 respect to employer-based commuter programs are  
23 shared and issues are addressed.

24 (c) TIMING.—Not later than 180 days after the date  
25 of enactment of this Act, the Secretary shall finalize and

1 begin implementation of the plan developed under sub-  
2 section (a).

3 (d) **REPORT TO CONGRESS.**—Not later than 2 years  
4 after the date of enactment of this Act, the Secretary shall  
5 submit to the Committee on Transportation and Infra-  
6 structure of the House of Representatives and the Com-  
7 mittee on Banking, Housing, and Urban Affairs and the  
8 Committee on Environment and Public Works of the Sen-  
9 ate a report on the implementation and impact of the plan  
10 developed under subsection (a).

11 **SEC. 5. DISASTER PREPAREDNESS REPORT.**

12 (a) **IN GENERAL.**—Not later than 1 year after the  
13 date of enactment of this Act, the Secretary of Transpor-  
14 tation shall submit to the Committee on Transportation  
15 and Infrastructure of the House of Representatives and  
16 the Committee on Banking, Housing, and Urban Affairs  
17 and the Committee on Environment and Public Works of  
18 the Senate a report with recommendations on how to bet-  
19 ter integrate employer-based commuter programs (as de-  
20 fined in section 5303(b) of title 49, United States Code)  
21 into emergency planning, preparedness, and response ac-  
22 tivities.

23 (b) **COORDINATION.**—In preparing the report under  
24 subsection (a), the Secretary shall consult with—

1           (1) the Administrator of the Federal Emer-  
2           gency Management Agency; and

3           (2) stakeholders, including national and re-  
4           gional organizations and experts that promote em-  
5           ployer-based commuter programs.

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