

118TH CONGRESS  
2D SESSION

# H. R. 7039

To amend title 49, United States Code, to establish a program to provide grants to eligible recipients for eligible operating support costs of public transportation, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2024

Mr. JOHNSON of Georgia (for himself, Ms. ADAMS, Mr. AUCHINCLOSS, Ms. BARRAGÁN, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Mr. BOWMAN, Mr. BOYLE of Pennsylvania, Ms. BROWN, Ms. BUSH, Mr. CÁRDENAS, Mr. CARSON, Mrs. CHERFILUS-McCORMICK, Mr. COHEN, Mr. DAVIS of Illinois, Ms. DELBENE, Mr. ESPAILLAT, Mr. EVANS, Mrs. FOUSHEE, Mr. FROST, Mr. GARCÍA of Illinois, Ms. GARCIA of Texas, Mr. GOLDMAN of New York, Mr. GOMEZ, Mr. GRIJALVA, Ms. NORTON, Mr. HUFFMAN, Mr. IVEY, Mr. JACKSON of Illinois, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. KAMLAGER-DOVE, Mr. KRISHNAMOORTHY, Ms. LEE of California, Ms. LEE of Pennsylvania, Mr. LYNCH, Ms. McCLELLAN, Ms. MENG, Ms. MOORE of Wisconsin, Mr. MOULTON, Mr. MULLIN, Mr. NADLER, Mrs. NAPOLITANO, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PAYNE, Ms. PELOSI, Ms. ROSS, Mr. RUPPERSBERGER, Ms. SALINAS, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. STANSBURY, Mr. THANEDAR, Ms. TITUS, Ms. TLAIB, Mr. TORRES of New York, Mr. VARGAS, Mr. VASQUEZ, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Ms. PORTER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To amend title 49, United States Code, to establish a program to provide grants to eligible recipients for eligible operating support costs of public transportation, 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 “Stronger Communities  
5 through Better Transit Act”.

6 **SEC. 2. HIGH QUALITY TRANSIT OPERATING SUPPORT PRO-**  
7 **GRAM.**

8 (a) IN GENERAL.—Chapter 53 of title 49, United  
9 States Code, is amended by inserting after section 5307  
10 the following:

11 **“§ 5308. High quality transit operating support pro-**  
12 **gram**

13 “(a) IN GENERAL.—The Secretary of Transportation  
14 shall establish a program under which the Secretary may  
15 make grants to eligible recipients to enhance mobility and  
16 improve environmental sustainability through investing in  
17 public transportation service improvements.

18 “(b) ALLOCATION OF FUNDING.—For each fiscal  
19 year, the Secretary shall allocate funding as follows:

20 “(1) Each urbanized area, State, and Indian  
21 Tribe that is an eligible recipient shall receive an ap-  
22 portionment based on data contained in the National  
23 Transit Database such that—

24 “(A) each urbanized area shall receive an  
25 amount equal to 50 percent of the urbanized

1 area's average annual operating costs over the  
2 3-year period preceding such fiscal year;

3 "(B) each State shall receive an amount  
4 equal to 50 percent of the subrecipients in such  
5 State under section 5311 average operating  
6 costs over the 3-year period preceding such fis-  
7 cal year; and

8 "(C) each Indian Tribe shall receive an  
9 amount equal to 50 percent of the Indian  
10 Tribe's average operating costs over the 3-year  
11 period preceding such fiscal year.

12 "(2) For funds remaining after the apportion-  
13 ment described in paragraph (1), such funds shall be  
14 apportioned such that each urbanized area, State,  
15 and Indian Tribe that is an eligible recipient shall  
16 receive an apportionment equal to the proportion of  
17 all operating costs reported to the National Transit  
18 Database over the 3-year period preceding the fiscal  
19 year in which such funds are apportioned.

20 "(3) In any given year, no urbanized area,  
21 State, or Indian Tribe may receive an apportionment  
22 under this subsection that is greater than 80 percent  
23 of the average operating costs over the 3-year period  
24 preceding the fiscal year in which such funds are ap-  
25 portioned.

1 “(c) ELIGIBLE PROJECTS.—

2 “(1) IN GENERAL.—Eligible recipients may use  
3 funding provided under this section for operating  
4 costs associated with projects eligible under this  
5 chapter and title 23 that improve public transpor-  
6 tation service for transit dependent populations and  
7 support increased transit ridership, including—

8 “(A) projects that decrease headways;

9 “(B) projects for new or expanded service  
10 area, hours, or days;

11 “(C) projects to improve transit reliability  
12 or travel time savings, including transit  
13 prioritization;

14 “(D) IT enhancements to improve cus-  
15 tomer information and customer and employee  
16 safety such as implementation of real-time tran-  
17 sit data;

18 “(E) projects to support seamless complete  
19 trips, including—

20 “(i) projects to improve transit net-  
21 work connectivity;

22 “(ii) signage and wayfinding;

23 “(iii) fare coordination; and

24 “(iv) multimodal payment integration;

1           “(F) service planning related to funding  
2 provided under this section, including planning  
3 to address changing demographics, changing  
4 travel movement, network redesign (including  
5 the implementation of a plan that results in a  
6 net increase in service hours across a region,  
7 subregion, or study area), and accommodating  
8 essential service trips (including service trips  
9 for employment, healthcare facilities, child care,  
10 education and workforce training, food sources,  
11 banking and other financial institutions, and  
12 other retail shopping establishments);

13           “(G) measuring access to work and essen-  
14 tial services, particularly for non-drivers, for the  
15 purpose of developing projects to be funded  
16 under this section, including data acquisition  
17 and acquiring outside support for conducting  
18 analysis of such data;

19           “(H) measures to enhance customer sense  
20 of safety and security, including public safety  
21 measures and outreach to unhoused persons in  
22 the transit system;

23           “(I) initiatives to improve the transit envi-  
24 ronment, such as additional or enhanced clean-  
25 ing; and

1           “(J) workforce development initiatives nec-  
2           essary to improve or maintain service.

3           “(2) NO EFFECT ON OTHER LAWS.—The use of  
4           funds from this section for operating costs of  
5           projects described in paragraph (1) may not affect  
6           the eligibility of such projects to receive funding  
7           from other sections of this chapter or title 23.

8           “(d) REQUIREMENT.—A preponderance of a grant  
9           received by a recipient under this section in a fiscal year  
10          shall be used for projects that benefit underserved commu-  
11          nities or areas of persistent poverty.

12          “(e) FEDERAL SHARE.—

13                 “(1) IN GENERAL.—The Federal share of a  
14                 project or program carried out using a grant award-  
15                 ed under this section shall be not greater than 50  
16                 percent.

17                 “(2) FEDERAL SHARE FOR OPERATING EX-  
18                 PENSES.—In the case that a project includes both  
19                 operating components funded from this section and  
20                 non-operating components, the Federal share for op-  
21                 erating components shall be 50 percent and for non-  
22                 operating components shall be consistent with the  
23                 requirements of the funding source for those compo-  
24                 nents.

1           “(3) INCREASED FEDERAL SHARE FOR CERTAIN  
2 AREAS.—Notwithstanding paragraph (2), the Fed-  
3 eral share of an operating assistance component of  
4 a project or program carried out in an area of per-  
5 sistent poverty or an underserved community using  
6 a grant awarded under this section shall be not  
7 greater than 80 percent.

8           “(4) FEDERAL SHARE FOR INDIAN TRIBES.—  
9 Notwithstanding paragraphs (1) through (3), for In-  
10 dian Tribes receiving funding allocated under sub-  
11 section (b)(1)(C), the Federal share of a project or  
12 program carried out using a grant awarded under  
13 this section shall be 100 percent.

14           “(5) IN KIND MATCH.—Of the non-Federal  
15 share required under this subsection, 25 percent  
16 may be derived from amounts (other than amounts  
17 received from the Federal Transit Administration)  
18 expended for associated capital improvements related  
19 to a project or program carried out using a grant  
20 awarded under this section.

21           “(f) PERIOD OF AVAILABILITY.—An amount appor-  
22 tioned under this section may be obligated by the recipient  
23 for 2 years after the fiscal year in which the amount is  
24 apportioned. Not later than 30 days after the end of the  
25 2-year period, an amount that is not obligated at the end

1 of that period shall be added to the amount that may be  
2 apportioned under this section in the following fiscal year.

3 “(g) CONDITIONS FOR OPERATING ASSISTANCE.—As  
4 a condition of receiving a grant under this section, an eli-  
5 gible recipient shall—

6 “(1) in the case of a recipient in an urbanized  
7 area—

8 “(A) agree to report to the Federal Transit  
9 Administration, for inclusion in the National  
10 Transit Database—

11 “(i) service frequency and revenue ve-  
12 hicle hours, including revenue vehicle hours  
13 and unlinked passenger trips originating  
14 and terminating in areas of persistent pov-  
15 erty and underserved communities, to-  
16 gether with such other specific data as the  
17 Secretary shall find necessary and appro-  
18 priate; and

19 “(ii) the number of jobs and essential  
20 services accessible by transit, and improve-  
21 ment in such access, including specific re-  
22 porting on access by transit for areas of  
23 persistent poverty and underserved com-  
24 munities; and



1           “(B) demonstrate that such recipient has  
2 surveyed, within the past year and at least  
3 every 2 years thereafter, current transit riders  
4 as well as non-riding residents of areas of per-  
5 sistent poverty and underserved communities  
6 regarding transit service improvements, using  
7 means designed to maximize participation from  
8 both riders and non-riders, and has published  
9 the survey in an online format;

10           “(2) in the case of a recipient that is an Indian  
11 Tribe—

12           “(A) agree to report to the Federal Transit  
13 Administration, for inclusion in the National  
14 Transit Database, revenue vehicle hours and  
15 unlinked passenger trips, together with such  
16 other specific data as the Secretary shall find  
17 necessary and appropriate; and

18           “(B) demonstrate that such recipient has  
19 surveyed, within the past year and at least  
20 every 2 years thereafter, current transit riders  
21 as well as non-riding residents of the Tribe’s  
22 service area regarding transit service improve-  
23 ments, using means designed to maximize par-  
24 ticipation from both riders and non-riders, and

1 has published the survey in an online format;  
2 and

3 “(3) in the case of a recipient that is a State  
4 or other possession receiving assistance under sec-  
5 tion 5311—

6 “(A) agree to report to the Federal Transit  
7 Administration, for inclusion in the National  
8 Transit Database, revenue vehicle hours for  
9 each subrecipient receiving assistance under  
10 this section, including revenue vehicle hours and  
11 unlinked passenger trips originating and termi-  
12 nating in areas of persistent poverty and under-  
13 served communities, together with such other  
14 specific data as the Secretary shall find nec-  
15 essary and appropriate;

16 “(B) provide an annually updated report to  
17 the Secretary identifying those underserved  
18 communities and areas of persistent poverty in  
19 the non-urbanized areas of the State or posses-  
20 sion that do not have any reported public tran-  
21 sit services, or in which either the availability or  
22 utilization of rural public transit is in the bot-  
23 tom quintile as compared to all rural public  
24 transit services in the United States, using such  
25 measurements as shall be identified by the Sec-

1           retary, together with annually updated progress  
2           toward achieving the State’s or possession’s  
3           strategy for establishing high-quality transit  
4           service in these unserved and underserved com-  
5           munities and areas of persistent poverty; and

6                   “(C) demonstrate that every subrecipient  
7           of the State or possession has surveyed, within  
8           the past year and at least every 2 years there-  
9           after, current transit riders as well as non-  
10          riding residents of areas of persistent poverty  
11          and underserved communities within the sub-re-  
12          cipient’s service area regarding transit service  
13          improvements, using means designed to maxi-  
14          mize participation from both riders and non-rid-  
15          ers, and has published the survey in an online  
16          format.

17          “(h) REGULATIONS.—Not later than 1 year after the  
18          date of enactment of this section, the Secretary shall issue  
19          such regulations as are necessary to carry out the program  
20          established under subsection (a), including defining the  
21          terms ‘preponderance of a grant’, and ‘access to jobs and  
22          essential service’ for purposes of this section and taking  
23          into account any necessary difference in the definition of  
24          such terms required for urbanized areas, rural areas lo-  
25          cated near urbanized areas, and remote rural areas.

1 “(i) ACCESS MEASUREMENT.—

2 “(1) IN GENERAL.—In carrying out the pro-  
3 gram under this section, the Secretary shall set up  
4 a multimodal access measurement interface that is  
5 open to any public agency through the program  
6 under section 5505 to aid transit agencies in deter-  
7 mining and reporting on access to jobs and essential  
8 services.

9 “(2) INTERIM DATA.—Until the access meas-  
10 urement interface under paragraph (1) is estab-  
11 lished, an eligible recipient may use other data  
12 sources to determine and report on access to jobs  
13 and essential services.

14 “(j) MAINTENANCE OF EFFORT.—

15 “(1) IN GENERAL.—Not later than 30 days  
16 after the beginning of each fiscal year, recipients of  
17 funds under this section shall certify to the Sec-  
18 retary that such recipients will, with funding pledged  
19 by all sources, maintain effort with regard to transit  
20 service. As part of such certification, the transit  
21 agency shall submit to the Secretary a statement  
22 identifying the amount of funds from all sources  
23 (other than funds provided under this section and  
24 related non-Federal match) expended on transit op-  
25 erations during the prior fiscal year, and the amount

1 expected to be expended on transit operations from  
2 all sources during the current fiscal year.

3 “(2) FAILURE TO MAINTAIN EFFORT.—If a re-  
4 cipient of funds under this section is unable to main-  
5 tain the level of effort certified pursuant to para-  
6 graph (1) for any fiscal year, the amount such re-  
7 cipient would have received under this section in the  
8 following fiscal year shall be reduced by one-third.

9 “(k) RULE OF CONSTRUCTION.—Nothing in this sec-  
10 tion shall be construed to prevent an eligible recipient  
11 from increasing service through the use of any other Fed-  
12 eral or non-Federal funds.

13 “(l) AUTHORIZATION OF APPROPRIATIONS.—There is  
14 authorized to be appropriated to carry out this section  
15 \$20,000,000,000 for each of fiscal years 2024 through  
16 2027.

17 “(m) DEFINITIONS.—In this section:

18 “(1) AREAS OF PERSISTENT POVERTY.—The  
19 term ‘area of persistent poverty’ means—

20 “(A) a county that has consistently had  
21 greater than or equal to 20 percent of the pop-  
22 ulation of such county living in poverty during  
23 the most recent 30-year period for which data  
24 is available, as measured by the 1990 and 2000  
25 decennial censuses; or

1           “(B) a census tract with a poverty rate of  
2           at least 20 percent as measured by the 2014  
3           through 2018 5-year data series available from  
4           the American Community Survey of the Bureau  
5           of the Census.

6           “(2) ASSOCIATED CAPITAL IMPROVEMENTS.—  
7           The term ‘associated capital improvements’ means a  
8           capital project described in subparagraphs (B)  
9           through (G) of section 5302(4).

10           “(3) ELIGIBLE RECIPIENT.—The term ‘eligible  
11           recipient’ means a recipient or subrecipient of funds  
12           under section 5307 or 5311.

13           “(4) UNDERSERVED COMMUNITY.—The term  
14           ‘underserved community’ means—

15           “(A) a census tract or block numbering  
16           area in which the median income does not ex-  
17           ceed 80 percent of the area median income;

18           “(B) families with income not greater than  
19           100 percent of the area median income that re-  
20           side in minority census tracts;

21           “(C) families with income not greater than  
22           100 percent of the area median income that re-  
23           side in areas affected by disasters, as deter-  
24           mined by the Administrator of the Federal  
25           Transit Administration;

1           “(D) a census tract that has a minority  
2           population of at least 30 percent or a median  
3           income of less than 100 percent of the area me-  
4           dian income;

5           “(E) a community that has low access to  
6           jobs and essential services, as determined by  
7           the Secretary; or

8           “(F) a census block or group of geographi-  
9           cally contiguous census blocks in which the pop-  
10          ulation of any racial or ethnic minority individ-  
11          uals, individually or in combination, comprises  
12          30 percent or more of the population of persons  
13          in the census block or group of geographically  
14          contiguous census blocks.”.

15          (b) FEDERAL TRANSIT PROGRAM GENERAL PUR-  
16          POSES.—Section 5301(b) of title 49, United States Code,  
17          is amended by adding at the end the following:

18                 “(9) support public transportation’s role in  
19                 combating climate change through growing/retaining  
20                 transit ridership.”.

21          (c) APPLICABILITY OF LAW.—The Secretary of  
22          Transportation shall ensure that the requirements of sec-  
23          tion 5333 of title 49, United States Code, are applied to  
24          section 5308 of such title (as added by subsection (a)).

1 (d) GAO REPORT.—Not later than 4 years after the  
2 date of enactment of this Act, the Comptroller General  
3 of the United States shall submit to the Committee on  
4 Transportation and Infrastructure of the House of Rep-  
5 resentatives and the Committee on Banking, Housing, and  
6 Urban Affairs of the Senate a report that reviews the out-  
7 comes of the program established under section 5308 of  
8 title 49, United States Code, as added by subsection (a),  
9 including new service produced and improvements in ac-  
10 cess to work and essential services, particularly for areas  
11 of persistent poverty and underserved communities.

12 (e) CLERICAL AMENDMENT.—The analysis for chap-  
13 ter 53 of title 49, United States Code, is amended by in-  
14 serting after the item relating to section 5307 the fol-  
15 lowing:

“5308. High quality transit operating support program.”.

16 (f) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that capital funding for transit should be increased.

18 **SEC. 3. INCREASED FEDERAL SHARE OF OPERATING COSTS**  
19 **FOR RURAL AREAS.**

20 Section 5311(g)(2) of title 49, United States Code,  
21 is amended to read as follows:

22 “(2) OPERATING ASSISTANCE.—A grant made  
23 under this section for operating assistance may not



1 exceed 80 percent of the net operating costs of the  
2 project, as determined by the Secretary.”.

○