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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To amend title 23, United States Code, to encourage and promote the safe and efficient management, operation, and development of surface transportation systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GARCÍA of Illinois introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 23, United States Code, to encourage and promote the safe and efficient management, operation, and development of surface transportation systems, 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 (a) SHORT TITLE.—This Act may be cited as the
5 “Mobility Options, Resiliency, and Efficiency (MORE)
6 through TDM Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

Sec. 1. Short title.

TITLE I—ADOPTING THE NATIONAL PLANS TO SECTION 134

- Sec. 1001. Policy.
- Sec. 1002. Definitions.
- Sec. 1003. Requirements.
- Sec. 1004. Planning.

TITLE II—ADOPTING THE STATE PLANS TO SECTION 135

- Sec. 2001. Requirements.
- Sec. 2002. Planning.
- Sec. 2003. Relationship to long-range plan.

TITLE III—APPROPRIATIONS AND GRANT PROGRAMS

- Sec. 3001. Authorizations of appropriations.
- Sec. 3002. Grants.

TITLE IV—NATIONAL AND STATE ADVISORY COMMITTEES ON
TRANSPORTATION DEMAND MANAGEMENT

- Sec. 4001. National and State advisory committees on transportation demand management.

3 **TITLE I—ADOPTING THE NA-**
4 **TIONAL PLANS TO SECTION**
5 **134**

6 **SEC. 1001. POLICY.**

7 Section 134(a)(1) of title 23, United States Code, is
8 amended to read as follows:

9 “(1) to encourage and promote the safe and ef-
10 ficient management, operation, and development of
11 surface transportation systems and support Trans-
12 portation demand management expectations and
13 goals that will serve the mobility needs of the people
14 and freight, foster economic growth and development

1 within and between States and urbanized areas, and
2 to take into consideration resiliency needs while
3 minimizing transportation related fuel consumption,
4 congestion, and air pollution through metropolitan
5 and Statewide transportation planning processes in
6 this chapter; and”.

7 **SEC. 1002. DEFINITIONS.**

8 Section 101(a) of title 23, United States Code, is
9 amended by adding at the end the following:

10 “(35) TRANSPORTATION DEMAND MANAGE-
11 MENT; TDM.—The terms ‘Transportation Demand
12 Management’ and ‘TDM’ mean the use of strategies
13 to inform and encourage travelers to maximize the
14 efficiency of a transportation system leading to im-
15 proved mobility, reduced congestion, and lower vehi-
16 cle emissions.

17 “(36) TRANSPORTATION DEMAND MANAGE-
18 MENT STRATEGIES.—The term ‘Transportation De-
19 mand Management Strategies’ means the use of
20 planning, programs, policy, marketing, communica-
21 tions, incentives, pricing, data, and technology to
22 shift travel mode, routes used, departure times,
23 number of trips, and location and design of work
24 spaces or public attractions.”.

1 **SEC. 1003. REQUIREMENTS.**

2 Section 134(c) of title 23, United States Code, is
3 amended—

4 (1) by striking paragraph (2) and inserting the
5 following:

6 “(2) CONTENTS.—The plans and TIPs for each
7 metropolitan area shall provide for the development
8 and integrated management, including transpor-
9 tation demand management, and operation of trans-
10 portation systems and facilities (including accessible
11 pedestrian walkways, bicycle transportation facilities,
12 and intermodal facilities that support intercity trans-
13 portation and reduce the need of single-occupancy
14 vehicles and intercity bus facilities and commuter
15 vanpool providers) that will function as an inter-
16 modal transportation system for the metropolitan
17 planning area and as an integral part of an inter-
18 modal transportation system for the State and the
19 United States.”; and

20 (2) by striking paragraph (3) and inserting the
21 following:

22 “(3) PROCESS OF DEVELOPMENT.—The process
23 for developing the plans and TIPs shall provide for
24 consideration of all modes of transportation and
25 transportation demand management and shall be
26 continuing, cooperative, and comprehensive to the

1 degree appropriate, based on the complexity of the
2 transportation problems to be addressed.”.

3 **SEC. 1004. PLANNING.**

4 Section 134(h) of title 23, United States Code, is
5 amended—

6 (1) in paragraph (1)—

7 (A) by striking “and” at the end of sub-
8 paragraph (I);

9 (B) by striking the period at the end of
10 subparagraph (J) and inserting a semicolon;
11 and

12 (C) by adding at the end, the following:

13 “(K) summarize the issues, problems, bar-
14 riers and existing policies and programs of
15 transportation demand management;

16 “(L) incentivize equitable and lower-cost
17 options for transportation systems, including
18 transportation demand management;

19 “(M) identify strategies which provide
20 multimodal choices to single-occupancy vehicle
21 travel on the road; and

22 “(N) mitigate congestion-related issues
23 and identify alternative transportation routes
24 and options during times of severe weather
25 storms and other natural disasters declared

1 local, State, and Federal state of emergencies.”;

2 and

3 (2) in paragraph (2)(B), by inserting after

4 clause (ii) the following:

5 “(iii) TRANSPORTATION DEMAND

6 MANAGEMENT TARGETS.—Each Metropoli-

7 tan planning organization that is consid-

8 ered to be in nonattainment or mainte-

9 nance areas for at least one National Am-

10 bient Air Quality Standard as defined

11 under the Clean Air Act shall establish de-

12 mand management targets that address

13 the objectives, issues, and goals of trans-

14 portation demand management described

15 in subsection (b), where applicable, to use

16 in tracking progress toward attainment of

17 such critical outcomes for the region of the

18 metropolitan planning organization.”.

19 **TITLE II—ADOPTING THE STATE**
20 **PLANS TO SECTION 135**

21 **SEC. 2001. REQUIREMENTS.**

22 Section 135(a)(2) of title 23, United States Code, is

23 amended to read as follows:

24 “(2) CONTENTS.—The statewide transportation

25 plan and the transportation improvement program

1 developed for each State shall provide for transpor-
2 tation demand management issues, objectives devel-
3 opment, and integrated management and operation
4 of transportation systems and facilities (including
5 accessible pedestrian walkways, bicycle transpor-
6 tation facilities, and intermodal facilities that sup-
7 port intercity transportation, including intercity
8 buses and intercity bus facilities and commuter van
9 pool providers) that will function as an intermodal
10 transportation system and reduce the need of single
11 occupancy vehicles for the State and an integral part
12 of an intermodal transportation system for the
13 United States.”.

14 **SEC. 2002. PLANNING.**

15 Section 135(d)(1) of title 23, United States Code, is
16 amended—

17 (1) by striking “and” at the end of subpara-
18 graph (I);

19 (2) by striking the period at the end of sub-
20 paragraph (J) and inserting a semicolon; and

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

22 “(K) resolve issues, problems, and barriers
23 of transportation demand management;

24 “(L) guide transportation investment deci-
25 sions including transportation demand manage-

1 ment policies, strategies, and performance
2 measures of the State;

3 “(M) enhance private-sector and disadvan-
4 taged community involvement in providing
5 multimodal and multioccupancy transportation
6 programs and services that promote environ-
7 mental, safety, and equity goals and increase
8 economic activity; and

9 “(N) improve operations and facilities with
10 mobility issues within the State, and a descrip-
11 tion of the strategies the State is employing to
12 address them, considering the objectives of
13 transportation demand management.”.

14 **SEC. 2003. RELATIONSHIP TO LONG-RANGE PLAN.**

15 Section 135(f)(1) of title 23, United States Code, is
16 amended to read as follows:

17 “(1) DEVELOPMENT.—Each State shall develop
18 a long-range Statewide transportation plan, with a
19 minimum 20-year forecast period for all areas of the
20 State, that provides for the development and imple-
21 mentation of the intermodal transportation system
22 and supports the objectives of transportation de-
23 mand management of the State.”.

1 **TITLE III—APPROPRIATIONS**
2 **AND GRANT PROGRAMS**

3 **SEC. 3001. AUTHORIZATIONS OF APPROPRIATIONS.**

4 (a) AMENDMENT.—Chapter 1 of title 23, United
5 States Code, is amended by inserting after section 170 the
6 following:

7 **“§ 171. Transportation demand management imple-**
8 **mentation program**

9 “The Secretary of Transportation shall establish a
10 program to encourage and assist the development and
11 funding of Transportation Demand Management related
12 projects in accordance with this section and to further di-
13 rect Federal resources, as authorized in this section, to-
14 wards implementation of Transportation Demand Man-
15 agement objectives described in section 134(b).”.

16 (b) IN GENERAL.—The following sums are author-
17 ized to be appropriated out of the Highway Trust Fund
18 (other than the Mass Transit Account): \$250,000,000 for
19 each of fiscal years 2022 through 2026, to carry out sec-
20 tion 171 of title 23, United States Code.

21 (c) DIVISION OF FUNDS AMONG STATES.—The Sec-
22 retary shall distribute the funds authorized in subsection
23 (b) to the 50 States and the District of Columbia in ac-
24 cordance with the formula described in subsection (d).

1 (d) CALCULATION OF STATE AMOUNTS.—For each
2 of fiscal years 2022 through 2026, funds shall be distrib-
3 uted to each State and the District of Columbia in a for-
4 mula that mirrors the allocation/apportionment percent-
5 age each State or the District of Columbia receives under
6 section 104(c) of title 23, United States Code.

7 (e) USE OF FUNDS.—

8 (1) IN GENERAL.—States shall distribute funds
9 authorized under the TDM Implementation Program
10 in the form of competitive grants to eligible entities
11 to support the implementation of projects and pro-
12 grams identified within a State adopted Transpor-
13 tation Demand Management plan to support the
14 movement of people and result in reduced conges-
15 tion, environmental benefits, improved equity within
16 transportation systems, and support economic activ-
17 ity.

18 (2) ELIGIBLE PROJECTS.—Funds apportioned
19 to the State under this section for the TDM Imple-
20 mentation program may be obligated to carry out
21 one or more of the following:

22 (A) Technologies designed to inform and
23 promote the use of non-single occupancy vehi-
24 cles.

1 (B) Technologies designed to inform and
2 promote alternative trip mode options that im-
3 prove and assist the movement of all people.

4 (C) Marketing and promotional efforts to
5 promote mode choice and reduce the environ-
6 mental impacts of commuter movement.

7 (D) Real-time traffic and multimodal
8 transportation information systems that aim to
9 influence travel mode decisions and behavior.

10 (E) Work zone management and informa-
11 tion systems that aim to shift travel modes dur-
12 ing construction.

13 (F) Support the development of plans that
14 enhance disaster preparedness and mitigate
15 congestion along major travel routes during
16 times of emergency, natural disasters, and con-
17 struction that impacts existing road capacity.

18 (G) Any other multimodal surface trans-
19 portation project to improve the equitable flow
20 of all people and goods within the existing na-
21 tional highway infrastructure network.

22 (3) ELIGIBLE ENTITIES.—States are authorized
23 to award competitive grant funds, as identified in
24 this section, to the following organizations or enti-
25 ties:

1 (A) Transportation Demand Management
2 product and service providers, and related
3 Transportation Demand Management associa-
4 tions.

5 (B) Transportation Management Associa-
6 tions and Transportation Management Organi-
7 zations.

8 (C) Metropolitan Organizations.

9 (D) Regional Planning Organizations.

10 (E) Public transportation Agencies.

11 (H) Local governments.

12 (f) DEFINITIONS.—For purposes of this section, the
13 terms “Transportation Management Associations” or
14 “TMAs” and “Transportation Management Organi-
15 zations” or “(TMOs)” mean associations, organizations, or
16 cooperatives that provide transportation services and edu-
17 cation to businesses, property owners, residents, and em-
18 ployees in a defined geographic area, combining their ef-
19 forts to expand transportation options and reduce pro-
20 gram costs. TMAs and TMOs are not-for-profit collabora-
21 tions of private and public sector entities working together
22 toward common goals, such as congestion mitigation,
23 transportation services, and pollution reduction.

24 (g) CONFORMING AMENDMENT.—The table of sec-
25 tions for chapter 1 of title 23, United States Code, is

1 amended by inserting after the item relating to section
2 170 the following:

“171. Transportation Demand Management Implementation Program.”.

3 **SEC. 3002. GRANTS.**

4 (a) **AUTHORIZATION.**—The Secretary shall make
5 grants under this section to eligible nonprofit institutions
6 of higher education to establish and operate a university
7 transportation center for research and development re-
8 lated to Transportation Demand Management and Trans-
9 portation Demand Management Strategies.

10 (b) **AUTHORIZED FUNDS.**—The Secretary may dis-
11 tribute \$3,000,000 for the creation of a University Trans-
12 portation Center dedicated towards the advancement of
13 transportation demand management, the understanding of
14 behavior in mobility decisions, and the development of mo-
15 bility as a service applications.

16 (c) **ELIGIBLE USE OF FUNDS.**—The funds author-
17 ized in this section shall be used for the establishment of
18 university transportation dedicated towards the research
19 and development of transportation demand management
20 and transportation demand management strategies.
21 Funds may be used for the research of TDM related top-
22 ics, as defined under section 1002.

23 (d) **ELIGIBLE APPLICANTS.**—To receive a grant
24 under this section, applicants must be in accordance with
25 requirements outlined in title 49, United States Code.

1 (e) COMPETITIVE SELECTION PROCESS.—To receive
2 a grant under this section—

3 (1) a consortium of nonprofit institutions of
4 higher education shall submit to the Secretary an
5 application that is in such form and contains such
6 information as the Secretary may require; and

7 (2) the awardee must follow and be in accord-
8 ance with the process as described in section
9 5505(b) of title 49, United States Code.

10 **TITLE IV—NATIONAL AND STATE**
11 **ADVISORY COMMITTEES ON**
12 **TRANSPORTATION DEMAND**
13 **MANAGEMENT**

14 **SEC. 4001. NATIONAL AND STATE ADVISORY COMMITTEES**
15 **ON TRANSPORTATION DEMAND MANAGE-**
16 **MENT.**

17 (a) AMENDMENT.—Chapter 1 of title 23, United
18 States Code, is amended by inserting after section 171 the
19 following:

20 **“§ 172. National and State advisory committees on**
21 **transportation demand management**

22 **“(a) ESTABLISHMENT OF NATIONAL ADVISORY COM-**
23 **MITTEE OF TRANSPORTATION DEMAND MANAGEMENT.—**

24 **“(1) IN GENERAL.—**The Administrator of Fed-
25 eral Highways Administration shall establish a Na-

1 tional Advisory Committee for Transportation De-
2 mand Management in accordance with this section
3 to strategically direct Federal resources and policies
4 toward implementation of Transportation Demand
5 Management objectives described in section 134(b).

6 “(2) COMMITTEE MEMBERSHIP.—The National
7 Advisory Committee of Transportation Demand
8 Management shall include no fewer than 11 rep-
9 resentatives with at least one Transportation De-
10 mand Management—Certified Professional and the
11 others chosen from—

12 “(A) the transportation industry, product
13 and service providers, and related Transpor-
14 tation Demand Management associations;

15 “(B) large corporations, large nonprofits,
16 and universities who need to move large num-
17 bers of students and employees;

18 “(C) organizations representing com-
19 muters;

20 “(D) State Transportation Demand Man-
21 agement workforce;

22 “(E) State departments of transportation;

23 “(F) public transportation entities;

24 “(G) regional and metropolitan planning
25 organizations; and

1 “(H) local governments.

2 “(3) TRANSPORTATION DEMAND MANAGEMENT
3 CONDITIONS AND PERFORMANCE REPORTS.—Not
4 later than 2 years after the date of enactment of
5 this section, and every 5 years thereafter, the Ad-
6 ministrator shall prepare and submit to Congress a
7 report that describes the conditions and performance
8 of the National Transportation Demand Manage-
9 ment Program in the United States.

10 “(b) ESTABLISHMENT OF STATE ADVISORY COMMIT-
11 TEES ON TRANSPORTATION DEMAND MANAGEMENT.—

12 “(1) IN GENERAL.—Each State shall develop
13 advisory committees focused on the development and
14 furthering of the principles of transportation de-
15 mand management within their respective jurisdic-
16 tion.

17 “(2) PURPOSE.—The State Transportation De-
18 mand Management Advisory Committees shall Serve
19 as a body of transportation demand management ex-
20 perts from within a State that will draft and ap-
21 prove State Transportation Demand management
22 plans.

23 “(3) SUBMISSION.—Approved State Transpor-
24 tation Demand Management plans shall be sub-
25 mitted to the Administrator of the Federal High-

1 ways Administration before a State is eligible to re-
2 ceive funds authorized under section 104(b).

3 “(4) ROLE.—The State Transportation De-
4 mand Management Advisory Committees shall—

5 “(A) advise the State on transportation de-
6 mand management-related priorities, issues,
7 projects, and funding needs;

8 “(B) serve as a forum for discussion for
9 State transportation decisions affecting the
10 movement of people;

11 “(C) communicate and coordinate regional
12 priorities with other organizations;

13 “(D) promote the sharing of information
14 between the private and public sectors on effi-
15 ciency of transportation infrastructure systems
16 and transportation demand management best
17 practices;

18 “(E) facilitate coordination and collabora-
19 tion between public and private organizations;
20 and

21 “(F) participate in the development of the
22 transportation demand management plan of the
23 State and region.

24 “(5) MEMBERSHIP.—

1 “(A) IN GENERAL.—A State Transpor-
2 tation Demand Management Advisory Com-
3 mittee shall consist of representatives from a
4 cross-section of public and private sector trans-
5 portation stakeholders.

6 “(B) REPRESENTATIVES.—A State Advi-
7 sory Committee shall consist of not fewer than
8 11 eligible representatives.

9 “(C) ELIGIBLE APPOINTEES.—Eligible
10 State Advisory Committee appointees includes
11 representatives from—

12 “(i) transportation product and serv-
13 ice providers;

14 “(ii) large nonprofits and universities
15 who need to move large numbers of stu-
16 dents and employees;

17 “(iii) large corporations with large
18 numbers of employees;

19 “(iv) transportation demand manage-
20 ment-related associations;

21 “(v) organizations representing com-
22 muters;

23 “(vi) regional and metropolitan plan-
24 ning organizations;

1 “(vii) the transportation department
2 of the State;

3 “(viii) public transportation entities;

4 “(ix) association representing com-
5 muters; and

6 “(x) local governments.

7 “(6) APPOINTMENT OF ADVISORY COM-
8 MITTEE.—The head of the department of transpor-
9 tation for a State shall have the power to appoint
10 the members of the applicable State Transportation
11 Demand Management Advisory Committee.”.

12 (b) CONFORMING AMENDMENT.—The table of sec-
13 tions for chapter 1 of title 23, United States Code, is fur-
14 ther amended by inserting after the item relating to sec-
15 tion 171 the following:

 “172. National and State advisory committees on transportation demand man-
 agement.”.