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(Original Signature of Member)

116TH 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.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LIPINSKI 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 134(b) of title 23, United States Code, is  
9 amended by inserting after paragraph (7) the following:

10 “(8) TRANSPORTATION DEMAND MANAGEMENT;  
11 TDM.—The terms ‘Transportation Demand Manage-  
12 ment’ and ‘TDM’ mean the use of strategies to in-  
13 form and encourage travelers to maximize the effi-  
14 ciency of a transportation system leading to im-  
15 proved mobility, reduced congestion, and lower vehi-  
16 cle emissions.

17 “(9) TRANSPORTATION DEMAND MANAGEMENT  
18 STRATEGIES.—The term ‘Transportation Demand  
19 Management Strategies’ means the use of planning,  
20 programs, policy, marketing, communications, incen-  
21 tives, pricing, and technology to shift travel mode,  
22 routes used, departure times, number of trips, and  
23 location and design work space or public attrac-  
24 tions.”.

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 lower-cost options for  
17 transportation systems, including transportation  
18 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

1 storms declared local, State, and Federal state  
2 of emergencies.”; 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 the  
11 Clean Air Act shall establish demand man-  
12 agement targets that address the objec-  
13 tives, issues, and goals of transportation  
14 demand management described in sub-  
15 section (b), where applicable, to use in  
16 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 involvement in  
4           providing multimodal and multioccupancy  
5           transportation programs and services that pro-  
6           mote environmental goals and increase eco-  
7           nomic activity; and

8           “(N) improve facilities with mobility issues  
9           within the State, and a description of the strat-  
10          egies the State is employing to address them,  
11          considering the objectives of transportation de-  
12          mand management.”.

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

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

16          “(1) DEVELOPMENT.—Each State shall develop  
17          a long-range Statewide transportation plan, with a  
18          minimum 20-year forecast period for all areas of the  
19          State, that provides for the development and imple-  
20          mentation of the intermodal transportation system  
21          and supports the objectives of transportation de-  
22          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 pro-  
10 gram to encourage and assist the development and fund-  
11 ing 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): \$100,000,000 for  
19 each of fiscal years 2020 through 2024, 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 2020 through 2024, 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 plans to support the  
14 movement of people and resulting in reduced conges-  
15 tion, environmental benefits, and support economic  
16 activity.

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

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

1 (B) Technologies designed to inform and  
2 promote alternative trip mode options that im-  
3 prove and/or assist the movement of 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 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 se-  
17 vere construction.

18 (G) Enhancement of the resiliency of crit-  
19 ical infrastructure, including infrastructure that  
20 supports in times of national or regional emer-  
21 gencies.

22 (H) Any other surface transportation  
23 project to improve the flow of people and goods  
24 within the existing national highway infrastruc-  
25 ture network.

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

5                   (A) Transportation Demand Management  
6                   product and service providers, and related  
7                   Transportation Demand Management associa-  
8                   tions.

9                   (B) Transportation Management Associa-  
10                  tions and Transportation Management Organi-  
11                  zations.

12                  (C) Metropolitan Organizations.

13                  (D) Regional Planning Organizations.

14                  (E) Public transportation Agencies.

15                  (H) Local governments.

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

1 toward common goals, such as congestion mitigation,  
2 transportation services, and pollution reduction.

3 (g) CONFORMING AMENDMENT.—The table of sec-  
4 tions for chapter 1 of title 23, United States Code, is  
5 amended by inserting after the item relating to section  
6 170 the following:

“171. Transportation Demand Management Implementation Program.”.

7 **SEC. 3002. GRANTS.**

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

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

20 (c) ELIGIBLE USE OF FUNDS.—The funds author-  
21 ized in this section shall be used for the establishment of  
22 university transportation dedicated towards the research  
23 and development of transportation demand management  
24 and transportation demand management strategies.

1 Funds may be used for the research of TDM related top-  
2 ics, as defined under section 1002.

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

6 (e) COMPETITIVE SELECTION PROCESS.—To receive  
7 a grant under this section—

8 (1) a consortium of nonprofit institutions of  
9 higher education shall submit to the Secretary an  
10 application that is in such form and contains such  
11 information as the Secretary may require; and

12 (2) the awardee must follow and be in accord-  
13 ance with the process as described in section  
14 5505(b) of title 49, United States Code.

15 **TITLE IV—NATIONAL AND STATE**  
16 **ADVISORY COMMITTEES ON**  
17 **TRANSPORTATION DEMAND**  
18 **MANAGEMENT**

19 **SEC. 4001. NATIONAL AND STATE ADVISORY COMMITTEES**  
20 **ON TRANSPORTATION DEMAND MANAGE-**  
21 **MENT.**

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

1 **“§ 172. National and State advisory committees on**  
2 **transportation demand management**

3 “(a) ESTABLISHMENT OF NATIONAL ADVISORY COM-  
4 MITTEE OF TRANSPORTATION DEMAND MANAGEMENT.—

5 “(1) IN GENERAL.—The Administrator of Fed-  
6 eral Highways Administration shall establish a Na-  
7 tional Advisory Committee for Transportation De-  
8 mand Management in accordance with this section  
9 to strategically direct Federal resources and policies  
10 toward implementation of Transportation Demand  
11 Management objectives described in section 134(b).

12 “(2) COMMITTEE MEMBERSHIP.—The National  
13 Advisory Committee of Transportation Demand  
14 Management shall include no fewer than 11 rep-  
15 resentatives chosen from—

16 “(A) the transportation industry, product  
17 and service providers, and related Transpor-  
18 tation Demand Management associations;

19 “(B) large corporations, large nonprofits,  
20 and universities who need to move large num-  
21 bers of students and employees;

22 “(C) organizations representing com-  
23 muters;

24 “(D) State Transportation Demand Man-  
25 agement workforce;

26 “(E) State departments of transportation;

1 “(F) public transportation entities;

2 “(G) regional and metropolitan planning  
3 organizations; and

4 “(H) local governments.

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

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

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

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



1           “(3) SUBMISSION.—Approved State Transpor-  
2           tation Demand Management plans shall be sub-  
3           mitted to the Administrator of the Federal High-  
4           ways Administration before a State is eligible to re-  
5           ceive funds authorized under section 104(b).

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

8                   “(A) advise the State on transportation de-  
9                   mand management-related priorities, issues,  
10                  projects, and funding needs;

11                  “(B) serve as a forum for discussion for  
12                  State transportation decisions affecting the  
13                  movement of people;

14                  “(C) communicate and coordinate regional  
15                  priorities with other organizations;

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

21                  “(E) facilitate coordination and collabora-  
22                  tion between public and private organizations;  
23                  and

1           “(F) participate in the development of the  
2           transportation demand management plan of the  
3           State and region.

4           “(5) MEMBERSHIP.—

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

10           “(B) REPRESENTATIVES.—A State Advi-  
11           sory Committee shall consist of not fewer than  
12           11 eligible representatives.

13           “(C) ELIGIBLE APPOINTEES.—Eligible  
14           State Advisory Committee appointees includes  
15           representatives from—

16           “(i) transportation product and serv-  
17           ice providers;

18           “(ii) large nonprofits and universities  
19           who need to move large numbers of stu-  
20           dents and employees;

21           “(iii) large corporations who need to  
22           move large numbers of employees;

23           “(iv) transportation demand manage-  
24           ment-related associations;

1 “(v) organizations representing com-  
2 muters;

3 “(vi) regional and metropolitan plan-  
4 ning organizations;

5 “(vii) the transportation department  
6 of the State;

7 “(viii) public transportation entities;

8 “(ix) association representing com-  
9 muters; and

10 “(x) local governments.

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

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

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