

1 AMENDMENT NO. 2825

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3 Purpose: To prohibit the imposition and collection of tolls on certain highways  
4 constructed using Federal funds.

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7 H. R. 3074

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9 Making appropriations for the Departments of  
10 Transportation, and Housing and Urban Development, and  
11 related agencies for the fiscal year ending September 30,  
12 2008, and for other purposes.

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14 Referred to the Committee on \_\_\_\_\_ and ordered to  
15 be printed

16 Ordered to lie on the table and to be printed

17 AMENDMENT INTENDED TO BE PROPOSED BY MRS.  
18 HUTCHISON (for herself and Mr. CORNYN)

19 Viz:

20 At the end of the sections under the heading "General Provisions" at the end of title I,  
21 add the following:

22 **SEC. 1 \_\_. PROHIBITION ON IMPOSITION AND**  
23 **COLLECTION OF TOLLS ON CERTAIN HIGHWAYS**  
24 **CONSTRUCTED USING FEDERAL FUNDS.**

25 (a) Definitions.—In this section:

26 (1) FEDERAL HIGHWAY FACILITY.—

27 (A) IN GENERAL.—The term "Federal highway facility" means—

28 (i) any highway, bridge, or tunnel on the Interstate System that is  
29 constructed using Federal funds; or

30 (ii) any United States highway.

31 (B) EXCLUSION.—The term "Federal highway facility" does not include any  
32 right-of-way for any highway, bridge, or tunnel described in subparagraph (A).

33 (2) TOLLING PROVISION.—The term "tolling provision" means—

1 (A) section 1216(b) of the Transportation Equity Act for the 21st Century  
2 (23 U.S.C. 129 note; 112 Stat. 212);

3 (b) Prohibition.—

4 (1) IN GENERAL.—None of the funds made available by this Act shall be used to  
5 consider or approve an application to permit the imposition or collection of any toll  
6 on any portion of a Federal highway facility in the State of Texas—

7 (A)(i) that is in existence on the date of enactment of this Act; and

8 (ii) on which no toll is imposed or collected under a tolling provision on that  
9 date of enactment; or

10 (B) that would result in the Federal highway facility having fewer non-toll  
11 lanes than before the date on which the toll was first imposed or collected.

12 (2) EXEMPTION.—Paragraph (1) shall not apply to the imposition or collection of  
13 a toll on a Federal highway facility—

14 (A) on which a toll is imposed or collected under a tolling provision on the  
15 date of enactment of this Act; or

16 (B) that is constructed, under construction, or the subject of an application  
17 for construction submitted to the Secretary, after the date of enactment of this  
18 Act.

19 (c) State Buy-Back.—None of the funds made available by this Act shall be used to  
20 impose or collect a toll on a Federal highway facility in the State of Texas that is  
21 purchased by the State of Texas on or after the date of enactment of this Act.