

AMENDMENT TO COMMITTEE PRINT
OFFERED BY MR. GARY G. MILLER OF
CALIFORNIA

Strike section 1510(h) of the Committee Print and
insert the following:

1 (h) SURFACE TRANSPORTATION PROJECT DELIVERY

2 PILOT PROGRAM.—Section 327 is amended—

3 (1) in the section heading by striking “**pilot**”;

4 (2) in subsection (a)(1) by striking “pilot”;

5 (3) in subsection (a)(2)—

6 (A) in subparagraph (B)(ii)(I) by striking

7 “; or” and inserting “for a transportation plan

8 or program; or”; and

9 (B) by adding at the end the following:

10 “(F) PRESERVATION OF FLEXIBILITY.—

11 The Secretary shall not require a State, as a

12 condition of participation in this program, to

13 forego project delivery methods that are other-

14 wise permissible for highway projects.

15 “(G) HIGHWAY PROJECT.—A highway

16 project under subparagraph (A) includes any

17 project eligible under this title. With respect to

18 such a project, a State may assume the respon-

1 sibilities administered by the Federal Highway
2 Administration, but the State may not assume
3 the responsibilities of any other modal adminis-
4 tration within the Department.”;

5 (4) in subsection (b)—

6 (A) by striking paragraph (1) and insert-
7 ing the following:

8 “(1) PARTICIPATING STATES.—

9 “(A) IN GENERAL.—All States are eligible
10 to participate in the program.

11 “(B) SPECIAL RULE.—Any State partici-
12 pating in the program under this section on
13 September 30, 2009, shall be permitted by the
14 Secretary to continue to participate in the pro-
15 gram and such State shall not have to submit
16 an application under paragraph (2) in order to
17 participate in the program.”; and

18 (B) in paragraph (2) by striking “this sec-
19 tion, the Secretary shall promulgate” and in-
20 serting “the Surface Transportation Authoriza-
21 tion Act of 2009, the Secretary shall amend, as
22 appropriate,”; and

23 (5) by striking subsection (i) and inserting the
24 following:

1 “(i) TERMINATION.—The Secretary may terminate
2 the participation of any State in the program if—

3 “(1) the Secretary determines that the State is
4 not adequately carrying out the responsibilities as-
5 signed to the State;

6 “(2) the Secretary provides to the State—

7 “(A) notification of the determination of
8 noncompliance; and

9 “(B) a period of at least 30 days during
10 which to take such corrective action as the Sec-
11 retary determines is necessary to comply with
12 the applicable agreement; and

13 “(3) the State, after the notification and period
14 provided under paragraph (2), fails to take satisfac-
15 tory corrective action, as determined by Secretary.”.

