

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2
OFFERED BY MRS. FLETCHER OF TEXAS**

Page 446, after line 19, insert the following:

1 (i) TRANSPORTATION DEVELOPMENT CREDITS AS
2 LOCAL MATCH.—

3 (1) SECTION 5307.—Section 5307(d)(3) of title
4 49, United States Code, is amended—

5 (A) in subparagraph (D) by striking “;
6 and” and inserting a semicolon;

7 (B) in subparagraph (E) by striking the
8 period and inserting “; and”; and

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

10 “(F) transportation development credits.”.

11 (2) SECTION 5309.—Section 5309 of title 49,
12 United States Code, is amended—

13 (A) in subsection (f) by adding at the end
14 the following:

15 “(3) TRANSPORTATION DEVELOPMENT CRED-
16 ITS.—For purposes of assessments and determina-
17 tions under this subsection or subsection (h), trans-
18 portation development credits that are included as a

1 source of local financing or match shall be treated
2 the same as other sources of local financing.”; and

3 (B) in subsection (l)(4)—

4 (i) in subparagraph (B) by striking “;
5 or” and inserting a semicolon;

6 (ii) in subparagraph (C) by striking
7 the period and inserting “; or”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(D) transportation development credits.”.

11 (3) SECTION 5339.—Section 5339(a)(7)(B) of
12 title 49, United States Code, is amended—

13 (A) in clause (iv) by striking “; or” and in-
14 serting a semicolon;

15 (B) in clause (v) by striking the period and
16 inserting “; or”; and

17 (C) by adding at the end the following:

18 “(vi) transportation development cred-
19 its.”.

20 (j) LOCAL SHARE CREDITS.—Section 3043 of
21 SAFETEA-LU (Public Law 109–59; 119 Stat. 1652) is
22 amended—

23 (1) in paragraph (1)—

1 (A) by inserting “or corridor-based bus
2 rapid transit project” before “currently in-
3 cluded”; and

4 (B) by inserting “or the METRO NEXT
5 Plan” before “sponsored by”; and

6 (2) by striking paragraphs (2) and (3).

Page 522, after line 18, insert the following:

7 **SEC. ____ . STATE OF GOOD REPAIR APPORTIONMENT FOR-**
8 **MULA.**

9 Section 5337(d) of title 49, United States Code, is
10 amended—

11 (1) in paragraph (1) by inserting “,including
12 facilities with access for fee-paying single occupancy
13 vehicles as well as high occupancy vehicles, com-
14 monly known as ‘high-occupancy toll’ lanes, provided
15 that high intensity motorbus services and high-occu-
16 pancy vehicles are permitted to use the facilities
17 without charge” after “high-occupancy vehicles”;
18 and

19 (2) in paragraph (4) by adding at the end the
20 following: “Each year in which a high-occupancy toll
21 lane has been in revenue service prior to the date of
22 enactment of the INVEST in America Act shall be
23 counted in determining satisfaction of the 7-year re-
24 quirement under this paragraph.”.

Page 577, strike line 3 and all that follows through page 578, line 6 and insert the following:

1 (9) in subsection (i)—

2 (A) in paragraph (2)(C) by inserting “or
3 involves a project that extends the corridor of
4 a project being rated under subsection (d), (e),
5 or (h) or provides a direct passenger transfer to
6 a project being rated in subsection (d), (e), or
7 (h)” after “one another”;

8 (B) in paragraph (2)(D) by inserting “(ex-
9 cluding any non-Government funded project in-
10 cluded therein)” after “as a whole”;

11 (C) in paragraph (3)(B)—

12 (i) by redesignating clause (ii) as
13 clause (iii); and

14 (ii) by inserting after clause (i) the
15 following:

16 “(iii) INCREASE IN MOBILITY RAT-
17 ING.—The Secretary shall grant a rating
18 increase of one level in mobility improve-
19 ments to any project in a program of inter-
20 related projects that meets the applicable
21 requirements of this section.”;

22 (D) by striking paragraph (5);

1 (E) by redesignating paragraphs (6), (7),
2 and (8) as paragraphs (5), (6), and (7), respec-
3 tively;

4 (F) by striking paragraph (7), as so redesi-
5 gnated, and inserting the following:

6 “(7) NON-GOVERNMENT PROJECTS.—A project
7 included in a program of interrelated projects that
8 is not funded by the Government shall not be subject
9 to any federal statute or regulation that is imposed
10 as a result of Government funding under chapter 53
11 of this title.”; and

12 (G) by adding at the end the following:

13 “(8) PILOT PROGRAM.—

14 “(A) ESTABLISHMENT.—Not later than 60
15 days after the date of enactment of the IN-
16 VEST in America Act, the Secretary shall es-
17 tablish a pilot program to implement the provi-
18 sions of this subsection. The pilot program shall
19 include procedures for the submittal of expres-
20 sions of interest from applicants, and for the
21 selection by the Secretary, based on the criteria
22 described in this subsection, of at least three
23 applicants to carry out programs of interrelated
24 projects in accordance with this subsection.

1 “(B) INCLUSION IN PROGRAM.—Upon ap-
2 plication by the Metropolitan Transit Authority
3 of Harris County, Texas (‘Metro’), the Sec-
4 retary shall include the voter-approved METRO
5 NEXT program of projects, as defined by
6 Metro Board Resolution No. 2019-17, in the
7 Pilot Program established under subparagraph
8 (A) of this paragraph.

