

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2
OFFERED BY MR. SPANO OF FLORIDA**

Page 468, after line 10, insert the following::

1 **SEC. 210 . GENERAL PROVISIONS.**

2 (a) REASONABLE ACCESS TO PUBLIC TRANSPOR-
3 TATION FACILITIES.—Section 5323(r) of title 49, United
4 States Code, is amended to read as follows:

5 “(r) REASONABLE ACCESS TO PUBLIC TRANSPOR-
6 TATION FACILITIES.—

7 “(1) IN GENERAL.—A recipient of assistance
8 under this chapter may not deny reasonable access
9 for a private or charter transportation operator to
10 federally funded public transportation facilities, in-
11 cluding intermodal facilities, park and ride lots, and
12 bus-only highway lanes. In determining reasonable
13 access, capacity requirements of the recipient of as-
14 sistance and the extent to which access would be
15 detrimental or beneficial to existing public transpor-
16 tation services must be considered. A recipient shall
17 respond to any request for reasonable access within
18 90 days of the receipt of the request.

19 “(2) RESPONSE TO REQUEST.—

1 “(A) IN GENERAL.—If a recipient of as-
2 sistance under this chapter fails to respond to
3 a request within the 90-day period described in
4 paragraph (1), the operator may seek assist-
5 ance from the Secretary to obtain a response.

6 “(B) DENIAL OF ACCESS.—If a recipient
7 of assistance under this chapter denies access
8 to a private intercity or charter transportation
9 operator based on the reasonable access stand-
10 ards provided in paragraph (1), the recipient
11 shall provide, in writing, the reasons for the de-
12 nial.”.

13 (b) WAIVERS AND DEFERRALS; ADMINISTRATIVE
14 OPTION.—Section 5323 of title 49, United States Code,
15 is amended by striking subsection (t) and inserting the
16 following:

17 “(t) WAIVERS AND DEFERRALS; ADMINISTRATIVE
18 OPTION.—

19 “(1) IN GENERAL.—Notwithstanding any other
20 provision of law, the Secretary shall have the author-
21 ity to waive, exempt, defer, or establish a simplified
22 level of compliance for recipients of assistance under
23 this chapter that operate 10 or fewer vehicles in
24 service, or that receive financial assistance under
25 both sections 5307 and 5311 of this chapter.

1 “(2) GUIDANCE REQUIRED.—Not later than
2 180 days of enactment of the Federal Public Trans-
3 portation Act of 2020, the Secretary shall publish
4 guidance for recipients of assistance under this
5 chapter that operate 10 or fewer buses in service or
6 that receive financial assistance under both of sec-
7 tions 5307 and 5311 concerning—

8 “(A) which specific requirements may be
9 considered for waivers, exemptions, deferrals, or
10 simplified levels of compliance by recipients of
11 assistance described in paragraph (1);

12 “(B) the process by which recipients of as-
13 sistance described in paragraph (1) may request
14 such waivers, exemptions, deferrals, or sim-
15 plified levels of compliance;

16 “(C) the criteria by which the Secretary
17 shall evaluate and act upon such requests;

18 “(D) the terms and conditions the Sec-
19 retary shall attach to any waiver, exemption,
20 deferral or simplified level of compliance that is
21 awarded under paragraph (1);

22 “(E) actions the Secretary may take if a
23 recipient fails to comply the terms and condi-
24 tions attached to a waiver, exemption, deferral,

1 or simplified level of compliance that has been
2 awarded under paragraph (1); and

3 “(F) the circumstances under which the
4 Secretary may use this paragraph to award a
5 waiver, exemption, deferral or simplified level of
6 compliance to a recipient of assistance under
7 this chapter and described in this paragraph.

8 “(3) MAINTAIN SAFETY.—The Secretary shall
9 not to take any action under this subsection that
10 would degrade safety to lives or property.

11 “(4) REPORT.—The Secretary shall submit to
12 the Committee of Banking, Housing, and Urban Af-
13 fairs of the Senate and the Committee of Transpor-
14 tation and Infrastructure of the House of Represent-
15 atives an annual report detailing the requests and
16 actions that have been taken under this subsection
17 in the preceding 12 months.”.

18 (c) THRESHOLD FOR THE SALE OF TRANSIT VEHI-
19 CLES AFTER SERVICE LIFE.—Section 5323 of title 49,
20 United States Code, is further amended by adding at the
21 end the following:

22 “(v) THRESHOLD FOR THE SALE OF TRANSIT VEHI-
23 CLES AFTER SERVICE LIFE.—Notwithstanding any other
24 provision of law or regulation, for programs under this
25 chapter the threshold amount for transit vehicles after the

1 service life is reached shall be 20 percent of the original
2 acquisition cost of the purchased equipment. For transit
3 vehicles sold for an amount above such amount, the
4 threshold amount shall be retained by the transit agency
5 upon sale of the asset for use by the transit agency for
6 the purpose of operating or capital expenditures, and the
7 remainder shall be remitted to the Secretary and shall be
8 deposited into the Mass Transit Account of the Highway
9 Trust Fund. If such a vehicle is sold for an amount below
10 or equal to the threshold amount, the transit agency shall
11 retain all funds from the sale.”.

