

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2  
OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO  
RICO**

At the end of title I, add the following new section  
(and amend the table of contents accordingly):

**1 SEC. 1617. AUTOMATED VEHICLE OCCUPANCY COUNTING**  
**2 ON HOV FACILITIES.**

**3 (a) IN GENERAL.**—Notwithstanding section 166 of  
**4 title 23, United States Code, the Secretary of Transpor-**  
**5 tation shall allow and encourage public authorities to—**

**6 (1) permit high occupancy vehicles not other-**  
**7 wise exempt pursuant to subsection (b) of such sec-**  
**8 tion 166 to use HOV facilities for free or for pay-**  
**9 ment of a reduced toll charged by the public author-**  
**10 ity for use of the HOV facility; and**

**11 (2) enforce restrictions on the use of HOV fa-**  
**12 cilities by verifying occupancy through an automated**  
**13 vehicle occupancy counting technology.**

**14 (b) REPORT.**—Not later than 1 year after the date  
**15 of enactment of the INVEST in America Act, the Admin-**  
**16 istrator of the Federal Highway Administration shall pub-**  
**17 lish a report on the use by public authorities of automated**

1 vehicle occupancy counting technologies to verify violations  
2 of restrictions on the use of HOV facilities. Such report  
3 shall include the following:

4 (1) The impact of violations of restrictions on  
5 the use of HOV facilities, including the rates of such  
6 violations, revenue lost due to such violations, and  
7 degradation of facilities due to such violations.

8 (2) An analysis of available automated vehicle  
9 occupancy counting technologies, including—

10 (A) the accuracy of such technologies; and

11 (B) a review of such technologies in use by  
12 public authorities at the time of the report re-  
13 quired by this subsection.

14 (3) Identification and analysis of issues that  
15 may arise due to the use of automated vehicle occu-  
16 pancy counting technologies, including issues related  
17 to privacy, data security, and interoperability of such  
18 technologies.

19 (c) DEFINITIONS.—In this section, the terms “public  
20 authority” and “HOV facility” have the same meanings  
21 given such terms, respectively, in section 166 of title 23,  
22 United States Code.

