

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3684  
OFFERED BY MS. VAN DUYNE OF TEXAS**

Page 686, after line 6, insert the following:

1 **SEC. 1635. HOV FACILITY REVIEW.**

2       Section 166 of title 23, United States Code, is further  
3 amended by adding at the end the following:

4       “(h) REVIEW AND REMOVAL.—If the Secretary of  
5 Transportation determines appropriate, 10 years after  
6 construction of an HOV facility operated in compliance  
7 with this section, a State may—

8               “(1) conduct a review of such facility; and

9               “(2) remove such facility and repay any funds  
10 associated with such facility.”.

