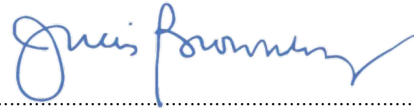


[~116H3040]



(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend title 23, United States Code, to include a special rule for the dedication of funds under the highway safety improvement program for certain vulnerable users, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 23, United States Code, to include a special rule for the dedication of funds under the highway safety improvement program for certain vulnerable users, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe And Friendly for
5 the Environment Streets Act” or the “SAFE Streets Act”.

1 **SEC. 2. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

2 Section 148 of title 23, United States Code, is
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (4)(B)(xiii) by inserting
6 “, including the development of a vulnerable
7 road user safety assessment under section 1601
8 of the SAFE Streets Act” after “safety plan-
9 ning”;

10 (B) in paragraph (11)—

11 (i) by redesignating subparagraphs
12 (G) through (I) as subparagraphs (H)
13 through (J); and

14 (ii) by inserting after subparagraph
15 (F) the following:

16 “(G) includes a vulnerable road user safety
17 assessment described under paragraph (16);”;
18 and

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

20 “(13) VULNERABLE ROAD USER.—The term
21 ‘vulnerable road user’ means a nonmotorist—

22 “(A) with a fatality analysis reporting sys-
23 tem person attribute code that is included in
24 the definition of the term ‘number of non-mo-
25 torized fatalities’ in section 490.205 of title 23,

1 Code of Federal Regulations (or successor regu-
2 lation); or

3 “(B) described in the term ‘number of
4 non-motorized serious injuries’ in such section.

5 “(14) VULNERABLE ROAD USER SAFETY AS-
6 SESSMENT.—The term ‘vulnerable road user safety
7 assessment’ means an assessment of the safety per-
8 formance of the State or a metropolitan planning or-
9 ganization within the State with respect to vulner-
10 able road users and the plan of the State or metro-
11 politan planning organization to improve the safety
12 of vulnerable road users described in subsection
13 (l).”;

14 (2) in subsection (c)—

15 (A) in paragraph (1) by striking “(a)(11)”
16 and inserting “(a)(13)”; and

17 (B) in paragraph (2)(A)(vi) by inserting “,
18 consistent with the vulnerable road user safety
19 assessment” after “nonmotorized crashes”;

20 (3) in subsection (d)(1)(B)—

21 (A) in clause (iv) by inserting “and serious
22 injury” after “fatality”;

23 (B) in clause (vii) by striking “; and” and
24 inserting a semicolon;

1 (C) by redesignating clause (viii) as clause
2 (ix); and

3 (D) by inserting after clause (vii) the fol-
4 lowing:

5 “(viii) the findings of a vulnerable
6 road user safety assessment of the State;
7 and”;

8 (4) in subsection (g) by adding at the end the
9 following:

10 “(3) VULNERABLE ROAD USER SAFETY.—

11 “(A) IN GENERAL.—Beginning on the date
12 of enactment of the SAFE Streets Act, if a
13 State determines that the number of vulnerable
14 road user fatalities and serious injuries per cap-
15 ita in such State over the most recent 2-year
16 period for which data are available exceeds the
17 median number of such fatalities and serious
18 injuries per capita among all States, that State
19 shall be required to obligate over the 2 fiscal
20 years following the fiscal year in which such de-
21 termination is made an amount that is not less
22 than 75 percent of the amount set aside in such
23 State under section 133(h)(1) for fiscal year
24 2020, less any amounts obligated by a metro-

1 politan planning organization in the State as
2 required by subparagraph (D), for—

3 “(i) in the first fiscal year—

4 “(I) performing the vulnerable
5 user safety assessment as prescribed
6 by subsection (l);

7 “(II) providing matching funds
8 for transportation alternatives safety
9 project as identified in section
10 133(h)(7)(B); and

11 “(III) projects eligible under sec-
12 tion 133(h)(3)(A), (B), (C), or (I);
13 and

14 “(ii) in each fiscal year thereafter, the
15 program of projects identified in subsection
16 (l)(2)(C).

17 “(B) SOURCE OF FUNDS.—Any amounts
18 obligated under subparagraph (A) shall be from
19 amounts described in section 133(d)(1)(B) or
20 104(b)(3).

21 “(C) ANNUAL DETERMINATION.—The de-
22 termination described under subparagraph (A)
23 shall be made on an annual basis.

1 “(D) METROPOLITAN PLANNING AREA
2 WITH EXCESSIVE FATALITIES AND SERIOUS IN-
3 JURIES PER CAPITA.—

4 “(i) ANNUAL DETERMINATION.—Be-
5 ginning on the date of enactment of the
6 SAFE Streets Act, a metropolitan plan-
7 ning organization representing an urban-
8 ized area with a population greater than
9 200,000 shall annually determine the num-
10 ber of vulnerable user road fatalities and
11 serious injuries per capita in such area
12 over the most recent 2-year period.

13 “(ii) REQUIREMENT TO OBLIGATE
14 FUNDS.—If such a metropolitan planning
15 area organization determines that the
16 number of vulnerable user road fatalities
17 and serious injuries per capita in such area
18 over the most recent 2-year period for
19 which data are available exceeds the me-
20 dian number of such fatalities and serious
21 injuries among all urbanized areas with a
22 population of over 200,000, then there
23 shall be obligated over the 2 fiscal years
24 following the fiscal year in which such de-
25 termination is made an amount that is not

1 less than 75 percent of the amount set
2 aside for that urbanized area under section
3 133(h)(2) for fiscal year 2020 for projects
4 identified in the program of projects de-
5 scribed in subsection (l)(7)(C).

6 “(E) SOURCE OF FUNDS.—

7 “(i) METROPOLITAN PLANNING ORGA-
8 NIZATION IN STATE REQUIRED TO OBLI-
9 GATE FUNDS.—For a metropolitan plan-
10 ning organization in a State required to
11 obligate funds to vulnerable user safety
12 under subparagraph (A), the State shall be
13 required to obligate from such amounts re-
14 quired to be obligated for vulnerable road
15 user safety under subparagraph (B) for
16 projects described in subsection (l)(7).

17 “(ii) OTHER METROPOLITAN PLAN-
18 NING ORGANIZATIONS.—For a metropoli-
19 tan planning organization that is not lo-
20 cated within a State required to obligate
21 funds to vulnerable user safety under sub-
22 paragraph (A), the State shall be required
23 to obligate from amounts apportioned
24 under section 104(b)(3) for projects de-
25 scribed in subsection (l)(7).”; and

1 (5) by adding at the end the following:

2 “(1) VULNERABLE ROAD USER SAFETY ASSESS-
3 MENT.—

4 “(1) IN GENERAL.—Not later than 1 year after
5 date of enactment of the SAFE Streets Act, each
6 State shall create a vulnerable road user safety as-
7 sessment.

8 “(2) CONTENTS.—A vulnerable road user safety
9 assessment required under paragraph (1) shall in-
10 clude—

11 “(A) a description of the location within
12 the State of each vulnerable road user fatality
13 and serious injury and the design speed of the
14 roadway at any such location;

15 “(B) a description of any corridors identi-
16 fied by a State, in coordination with local gov-
17 ernments, metropolitan planning organizations,
18 and regional transportation planning organiza-
19 tions that pose a high risk of a vulnerable road
20 user fatality or serious injury and the design
21 speeds of such corridors;

22 “(C) a program of projects or strategies to
23 reduce safety risks to vulnerable road users in
24 corridors identified under subparagraph (B), in
25 coordination with local governments, metropoli-

1 tan planning organizations, and regional trans-
2 portation planning organizations that represent
3 a high-risk area identified under subparagraph
4 (B); and

5 “(D) include a list of projects within the
6 State that primarily address the safety of vul-
7 nerable road users that—

8 “(i) have been completed during the 2
9 most recent fiscal years prior to date of
10 the publication of the vulnerable road user
11 safety assessment, including the amount of
12 funding that has been dedicated to those
13 projects, described in total amounts and as
14 a percentage of total capital expenditures;
15 and

16 “(ii) are planned to be completed dur-
17 ing the 2 fiscal years following the date of
18 the publication of the vulnerable road user
19 assessment, including the amount of fund-
20 ing that the State plans to be dedicated to
21 those projects, described in total amounts
22 and as a percentage of total capital ex-
23 penditures.

1 “(3) ANALYSIS.—In creating a vulnerable road
2 user safety assessment under this subsection, a
3 State shall assess the last 5 years of available data.

4 “(4) REQUIREMENTS.—In creating a vulnerable
5 road user safety assessment under this subsection, a
6 State shall—

7 “(A) take into consideration a safe system
8 approach; and

9 “(B) coordinate with local governments,
10 metropolitan planning organizations, and re-
11 gional transportation planning organizations
12 that represent a high-risk area identified under
13 paragraph (2)(B).

14 “(5) UPDATE.—A State shall update a vulner-
15 able road user safety assessment on the same sched-
16 ule as the State updates the State strategic highway
17 safety plan.

18 “(6) TRANSPORTATION SYSTEM ACCESS.—The
19 program of projects developed under paragraph
20 (2)(C) may not degrade transportation system ac-
21 cess for vulnerable road users.

22 “(7) METROPOLITAN PLANNING AREA ASSESS-
23 MENTS.—A metropolitan planning organization that
24 represents an urbanized area with a population
25 greater than 200,000 shall complete a vulnerable

1 user safety assessment based on the most recent 5
2 years of available data, unless an assessment was
3 completed in the previous 5 years, including—

4 “(A) a description of the location within
5 the urbanized area of each vulnerable road user
6 fatality and serious injury and the design speed
7 of the roadway at any such location;

8 “(B) a description of any corridors that
9 represent a high-risk area identified under
10 paragraph (2)(B) that pose a high risk of a vul-
11 nerable road user fatality or serious injury and
12 the design speeds of such corridors; and

13 “(C) a program of projects or strategies to
14 reduce safety risks to vulnerable road users in
15 corridors identified under subparagraph (B).”.