

Conference on S. 1072 / H.R. 3550
Staff Recommendations
June 23, 2004

ISSUE	Senate Provision	House Provision	Recommendation
1. Temporary Traffic Control Devices	no provision	§ 1106	Senate recedes to the House
2. Federal Share	§ 1301	no provision	Senate recedes to the House
3. Toll Facilities Workplace Safety Study	§ 4104(a) (amending proposed 49 U.S.C. 403 (b)(1)(C))	§ 1807	Senate recedes to the House with understanding that funding of study will be decided later.
4. Distribution of Metropolitan Planning Funds within States	no provision	§ 1816	Senate recedes to the House with a modification. In 104 (f), USC 23 - Redesignate the current paragraph in 104 (f)(4) as (A), and add "(B) A state shall reimburse funds to each metropolitan planning organization within 30 days of receipt of a request for reimbursement by a metropolitan planning organization."
5. General Definitions	§ 2	no provision	House recedes to the Senate
6. Use of Excess Funds	no provision	§ 1605	House recedes to the Senate

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7. Program Efficiencies	§ 1804	no provision	House recedes to the Senate with report language encouraging States to use excess funds for construction
8. Future Interstate System Routes	§ 1801	no provision	House recedes to the Senate
9. Donations and Credits	§ 1820	no provision	House recedes to the Senate
10. Repeal or Update of Obsolete Text	§ 1901	no provision	House recedes to the Senate
11. Clarification of Date	§ 1902	no provision	House recedes to the Senate
12. Inclusion of Requirements for Signs Identifying Funding Sources in Title 23	§ 1903	no provision	House recedes to the Senate
13. Technical Amendments to Non-discrimination Section	§ 1905	no provision	House recedes to the Senate

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14. Short Title	§3001	§3001(a)	House recedes to the Senate
15. Amendments to Title 49	§3002(a)	§3001(b)	House recedes to the Senate
16. Updated Terminology	§3002(b)	§3036	Senate recedes to the House, with amendment to change subsection designation to 3002(b) from 3036(a)
17. Non-Federal Share in Urbanized Area Formula Program and Advertising Revenue as Local Match	§3009(f)(3) amending 5307(e)(3)	§3008(e) amending 5307(e)(3)	Senate recedes to the House, with modification as follows:"(3) REMAINING COSTS -- The remainder of the net project cost shall be provided - (A) in cash from non-Federal sources other than revenues from providing public transportation services; (B) revenues derived from the sale of advertising and concessions; (C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; (D) from amounts received under a service agreement with a State or local social service agency or private social service organization."

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18. Eliminate Loan Authority in Capital Investments Program	§3011(a), §3011(b)(1)(A) amending §5309(a)(1), §3011(c) deleting §5309(b), §3011(d) amending §5309(d)(1) and §3011(i) deleting §5309(i), (j), and (k)	§3010(a), §3010(b) amending §5309(a) and deleting §5309(b) and (c), §3010(c) amending §5309(d)(2) and §3010(d) striking §5309(i), (j), and (k)	Senate recedes to the House. Agreement is only on eliminating loan authority, not on language replacing the eliminated provisions.
19. Update Turnkey Provisions to Design-Build	§3024(a) amending §5325(d)	§3025(a)(2) amending 5325(d)	House recedes to the Senate
20. Allow DOT and GAO to Review Contract Documents	§3024(a) amending §5325(f)	§3025(a)(2) amending 5325(f)	House recedes to the Senate
21. Prohibit Exclusionary or Discriminatory Specification	§3024(a) amending §5325(g)	§3025(a)(2) amending 5325(h)	House recedes to the Senate, with amendment to apply to all programs authorized by the Federal Public Transportation Act of 2004.
22. Move Special Procurement Provisions	§3024(b) repealing §5326	§3025(b) repealing §5326	Senate recedes to the House

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23. Security in Project Management Plans	§3025(a) adding §5327(a)(13)	§3026(a) adding §5327(a)(13)	House recedes to the Senate
24. Enforcement of Findings on Safety Hazards	§3027 amending §5329(c)	§3027 amending §5329(c)	Senate recedes to the House
25. Eliminate Duplicative Drug and Alcohol Tests; Technical and Conforming Changes to Drug and Alcohol Testing Requirements	§3031 amending §5331	§3029 amending §5331	Senate recedes to the House
26. Eliminate GAO Report on Funding Flexibility	§3034(1) repealing §5335(b)	§3032(a)(2) repealing §5335(b)	Senate recedes to the House
27. Adjustment for Surface Transportation Extension Acts	§3043	§3043	Senate recedes to the House

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28. State Traffic Safety Information System Improvements	§ 4111	§ 2004	House recedes to the Senate
29. Intrastate Operations of Interstate Motor Carriers	§ 4233	§ 4110	House recedes to the Senate except that House Sec. 4110(c) regarding grants for new entrant audits and DOT audits (new paragraphs added to 31344 (g)) will be considered during negotiations on like Senate Sec. 4223.
30. International Cooperation	§ 4239	§ 4113	House recedes to the Senate, except that the Senate accepts the House reference to “funds made available” over the Senate’s reference to “funds appropriated”.
31. Safety Performance History Screening	§ 4249	§ 4127	Senate recedes to the House except that the provision will be codified.
32. Consumer Handbook on DOT Website	§ 4310	§ 4206	House recedes to the Senate, with the Senate provision modified by striking “ensure that” and inserting “update”; by striking “OCE 100”; by striking “is prominently displayed and available”, and by inserting “and prominently display the publication” before “on the website of”

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33. Review of Liability of Carriers	§ 4313	§ 4209	House recedes to the Senate
34. Civil Penalties Relating to Household Goods Brokers	§ 4314	§ 4203	Senate recedes to the House
35. Short Title	§ 4401	No provision	House recedes to the Senate
36. Amendment to Title 49, United States Code	§ 4402	§ 7001	Senate recedes to the House
37. Purpose	§ 4421	§ 7002(b)	House recedes to the Senate
38. Operators Licensed in Mexico and Canada	§ 4246	§ 7005 (amdt. to 49 U.S.C. 5103a(c)(5)),	Senate recedes to the House with a modification of the paragraph's title to read "operators licensed in Mexico and Canada".
39. Rail tank cars	§ 4430	§ 7011	House recedes to the Senate
40. Repeal of Section 5118	§ 4436(d)	§ 7018(f)	House recedes to the Senate

41. International Uniformity of Standards and Requirements	§ 4438	§ 7017	Senate recedes to the House, with the understanding that references throughout the title to the Secretary of Transportation are handled consistently.
42. Release of Household Goods Information	§ 4311	§ 4207	<p>Senate and House provisions combined to read:</p> <p>Sec. ____ . Release of Household Goods Information.</p> <p>(a) Not later than 1 year after the date of enactment of this Act, the Secretary shall modify the regulations contained in part 375 of title 49, Code of Federal Regulations, to --</p> <p>(1) require a broker that is subject to such regulations to provide shippers with the following information whenever they have initial contact with a shipper or potential shipper:</p> <ul style="list-style-type: none"> (a) its Department of Transportation number; (b) the publication entitled "Your Rights and Responsibilities when You Move"; and (c) a list of all motor carriers providing transportation of household goods used by the broker and a statement that the broker is not a motor carrier providing transportation of household goods; and <p>(2) require a motor carrier or broker that is subject to such regulations and that establishes and maintains a website to prominently display on the website the information listed under paragraph (1)(A), (B), and (C).</p>