

Conference on S.1072/H.R. 3550  
 Staff Recommendations  
 For Member Meeting on July 7, 2004

Item	Senate Provision	House Provision	Recommendation
1. Definitions – Lead-in	---	§3003(a) amending §5302(a)	Senate recedes to the House.
2. Definitions – Debt Service Reserve	§3004(1)(E) amending §5302(a)(1)(L)	§3003(b)(5) amending §5302(a)(1)(K)	House recedes to the Senate.
3. Definitions – Urban Area	§3004(2) and (3) striking §5302(a)(16) and redesignating remaining subsections.	---	Senate recedes to the House.
4. Definitions – Individual with a Disability	---	§3003(c) amending §5302(a)(5)	Senate recedes to the House.
5. Definitions – Transit Enhancements	§3004(6) amending §5302(a)(16)	---	Senate recedes to the House.
6. Definitions – Urbanized Area	§3004(7) amending §5302(a)(17)	§3003(f) amending §5302(a)(17)	House recedes to the Senate.
7. Definitions – Authority to Modify “Handicapped Individual”	---	§3003(g) amending §5302(b)	Senate recedes to the House.
8. Transit Enhancements	§3009(a)(1) deleting §5307(k), §3009(e) adding §5307(d)(1)(K)	§3008(a)(1) deleting §5307(k), §3008 adding §5307(d)(1)(K)	House recedes to the Senate, with an amendment retaining a requirement for reports as in the House amendment to §5307(d)(1)(K)(ii).
9. Transit Cooperative Research Program	§3015 amending §5313	§3014 amending §5313	House recedes to the Senate.
10. Bus Testing Facility	§3018 amending §5318	§3019 amending §5318	Senate recedes to the House.
11. Bus Seat Specifications	§3022(5) deleting §5323(e)	§3023(d) replacing §5323(e)	House recedes to the Senate.

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12. Bond Proceeds Eligible for Local Share – Maintenance of Effort	§3022(8) amending §5323(f)(1)	§3023(d) amending §5323(e)(1) and (2)	Senate recedes to the House.
13. Relationship to Other Laws	§3022(12) adding §5323(1)	§3023(h) adding §5323(1)	House recedes to the Senate. (With report language agreed to with the House Judiciary Committee)
14. Multiyear Rolling Stock Acquisitions	§3024(a) amending §5325(e)(2)	§3025(a)(2) amending §5325(e)	Senate recedes to the House.
15. Investigations of Safety Hazards and Security Risks	§3027(a) amending §5329	§3027 amending §5329	House recedes to the Senate, with amendments in section 5329(d). In §5329(d)(1) strike “90 days” and insert “45 days”. In §5329(d)(2)(A), strike “national” and insert “a process to develop”. In §5329(d)(2)(B), insert after “grants” the following: “for security improvements” and insert after “Department of Homeland Security” the following: “or the Department of Transportation”. In §5329(d)(2)(C), insert after “method of” the following: “direct”. At the end of section §5329(d), add the following: “(E) include a formal and permanent mechanism to ensure coordination and involvement by the Department of Transportation, as appropriate, in public transportation security.”
16. State Safety Oversight	§3028 amending §5330	§3028 amending §5330	Senate recedes to the House, with amendment to change ‘and’ to ‘or’ and ‘may’ to ‘shall’ in §5330(d)
17. Terrorist Attacks and Other Acts of Violence Against Public Transportation Systems	§3030 amending 18 USC§1993	No Provision	House recedes to the Senate. (Has been cleared with House Judiciary Committee.)

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18. Regulating Operations and Charges	§3033 (2) and (3) amending §5334(b)	§3031 (2) and (3) amending §5334(b)	Senate recedes to the House.
19. Surface Transportation Program Technical Date Change	no provision	§ 1109	Senate recedes to the House
20. Motorist Information Concerning Full Service Restaurants	no provision	§ 1803	Senate recedes to the House
21. Thomas P. "Tip" O'Neill, Jr. Tunnel	no provision	§ 1913	Senate recedes to the House
22. Extend The Richard M. Nixon Highway designation on Imperial Highway to the Nixon Library	no provision	no provision	Senate and House accept the language.
23. Territorial Highway Program	§ 1818	no provision	House recedes to the Senate with modification. Change (d)(1) "(other than provisions of chapter 1 relating to the apportionment and allocation of funds)" to be consistent with current law.
24. Transfer of Funds	§ 1302	no provision	House recedes to the Senate with modification. Split (k)(2) Transfer of Transit funds for Highway Projects; into (A) and (B): “(A) In general. Subject to subparagraph (B) funds made available for highway projects or transportation planning under chapter 53 of title 49 may be transferred to and administered by the Secretary in accordance with this title. (B) Non-federal share. The provisions of chapter 53 of title 49 relating to the non-Federal Share shall apply to the transferred funds” Strike (k)(3)
25. Motorist Information	no provision	§ 1802	House recedes to the Senate

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26. Delta Region Study	§ 5506	§ 1806	Senate recedes to the House (Funding and source of funding to be determined later.)
27. Designate Daniel Patrick Moynihan Interstate Highway in NY	§ 1205	no provision	House recedes to the Senate
28. Operation of Commercial Motor Vehicles by Individuals Who Use Insulin to Treat Diabetes Mellitus	§ 4229	§ 4121	<p>House recedes to the Senate title and subsection (a);</p> <p>Senate recedes to House subsection (a) modified by inserting “Upon completion of the requirements of subsection (a), or 90 days from the date of enactment of this Act, whichever occurs first,” before “The Secretary”;</p> <p>Senate recedes to House subsection (b) modified to include “that is consistent with the findings of the expert medical panel reported in July 2000 in ‘A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate Commercial Motor Vehicles in Interstate Commerce as Directed by the Transportation Equity Act for the 21<sup>st</sup> Century’” at the end of the first sentence;</p>
29. Pattern of Safety Violations by Motor Carrier or Broker Management	§ 4236	§ 4111	<p>Senate recedes to House subsection (c).</p> <p>Senate recedes to the House provisions, with the understanding that amendments to title 49 will be dealt with consistently throughout the title, and modified by inserting in subsection (d) “Within 1 year of enactment of this Act,” before “The Secretary”.</p>

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30. Commercial Motor Vehicle Information Systems and Networks Deployment	§ 4241	§ 4109	Senate recedes to the House subsections (a), (c), (d), (e), and (g) modified by striking “credentialing” in paragraph (3)(B)(iii) and inserting “under this paragraph” after “in the State”. House provisions also modified by inserting “motor” before “vehicle” throughout the section.  House recedes to the Senate subsections (b), (e), and (f), with the understanding that language governing contract authority will be handled consistently throughout the title.
31. Representation and Tampering	§ 4425	§ 7006	Senate recedes to the House