

1 **SEC. 222. GREENHOUSE GAS EMISSIONS REDUCTIONS**
2 **THROUGH TRANSPORTATION EFFICIENCY.**

3 Title VIII of the Clean Air Act, as added by section
4 331 of this Act, is further amended by inserting after part
5 C the following new part:

6 **“PART D—PLANNING REQUIREMENTS**
7 **“SEC. 841. GREENHOUSE GAS EMISSIONS REDUCTIONS**
8 **THROUGH TRANSPORTATION EFFICIENCY.**

9 “(a) IN GENERAL.—Each State shall—

10 “(1) not later than 3 years after the date of en-
11 actment of this section, submit to the Administrator
12 goals for transportation-related greenhouse gas
13 emissions reductions; and

14 “(2) as part of each transportation plan or
15 transportation improvement program developed
16 under title 23 or title 49, United States Code, en-
17 sure that a plan to achieve such goals, or an up-
18 dated version of such a plan, is submitted to the Ad-
19 ministrator and to the Secretary of Transportation
20 (in this section referred to as the ‘Secretary’) by
21 each metropolitan planning organization in the State
22 for an area with a population exceeding 200,000.

23 “(b) MODELS AND METHODOLOGIES.—

24 “(1) IN GENERAL.—The Administrator shall
25 promulgate regulations to establish standards for
26 use in developing goals, plans, and strategies under

1 this section and for monitoring progress toward such
2 goals. Such standards shall include—

3 “(A) data collection techniques for assess-
4 ing State and regional transportation-related
5 greenhouse gas emissions;

6 “(B) methodologies for determining trans-
7 portation-related greenhouse gas emissions
8 baselines;

9 “(C) models and methodologies for sce-
10 nario analysis; and

11 “(D) models and methodologies for esti-
12 mating transportation-related greenhouse gas
13 emissions reductions from the strategies consid-
14 ered under this section.

15 Such regulations may approve or improve existing
16 models and methodologies

17 “(2) TIMING.—The Administrator shall—

18 “(A) publish proposed regulations under
19 paragraph (1) not later than 1 year after the
20 date of enactment of this section; and

21 “(B) promulgate final regulations under
22 paragraph (1) not later than 2 years after such
23 date of enactment.

24 “(3) ASSESSMENT.—At least every 6 years
25 after promulgating final regulations under para-

1 graph (1), the Administrator, in coordination with
2 the Secretary, shall assess current and projected
3 progress in reducing transportation-related green-
4 house gas emissions. The assessment shall examine
5 the contributions to emissions reductions attrib-
6 utable to improvements in vehicle efficiency, green-
7 house gas performance of transportation fuels, and
8 increased efficiency in utilizing transportation sys-
9 tems.

10 “(c) GREENHOUSE GAS REDUCTION GOALS.—

11 “(1) CONSULTATION.—Each State shall develop
12 the goals referred to in subsection (a)(1)—

13 “(A) in concurrence with State agencies re-
14 sponsible for air quality and transportation;

15 “(B) in consultation with each metropoli-
16 tan planning organization for an area in the
17 State with a population exceeding 200,000 and
18 applicable local air quality and transportation
19 agencies; and

20 “(C) with public involvement, including
21 public comment periods and meetings.

22 “(2) PERIOD.—The goals referred to in sub-
23 section (a)(1) shall be for 4-, 10-, and 20-year peri-
24 ods.

1 “(3) TARGETS; DESIGNATED YEAR.—The goals
2 referred to in subsection (a)(1) shall establish tar-
3 gets to reduce transportation-related greenhouse gas
4 emissions in the covered area. The targets shall be
5 designed to ensure that the levels of such emissions
6 stabilize and decrease after a designated year. The
7 State shall consider designating 2010 as such des-
8 ignated year.

9 “(4) COVERED AREA.—The goals referred to in
10 subsection (a)(1)—

11 “(A) shall be established on a statewide
12 basis;

13 “(B) shall be established for each metro-
14 politan planning organization in the State for
15 an area with a population exceeding 200,000;
16 and

17 “(C) may be established on a voluntary
18 basis, in accordance with the provisions of this
19 section, for any metropolitan planning organiza-
20 tion not described in subparagraph (B).

21 “(5) REVISED GOALS.—Every 4 years, each
22 State shall update and revise, as appropriate, the
23 goals referred to in subsection (a)(1).

24 “(d) PLANNING.—A plan submitted under subsection
25 (a)(2) shall—

1 “(1) be based upon the models and methodolo-
2 gies established by the Administrator under sub-
3 section (b);

4 “(2) use transportation and land use scenario
5 analysis to address transportation-related green-
6 house gas emissions and economic development im-
7 pacts; and

8 “(3) be developed—

9 “(A) with public involvement, including
10 public comment periods and meetings which
11 provide opportunities for comment from a vari-
12 ety of stakeholders based on age, race, income,
13 and disability;

14 “(B) with regional coordination, including
15 with respect to—

16 “(i) metropolitan planning organiza-
17 tions;

18 “(ii) the localities comprising the met-
19 ropolitan planning organization;

20 “(iii) the State in which the metro-
21 politan planning organization is located;
22 and

23 “(iv) air quality, environmental
24 health, and transportation agencies for the
25 State and region involved; and

1 “(C) in consultation with the State and
2 local housing, public health, economic develop-
3 ment, land use, environment, and public trans-
4 portation agencies.

5 “(e) STRATEGIES.—In developing goals under sub-
6 section (a)(1) and a plan under subsection (a)(2), the
7 State or metropolitan planning organization, as applicable,
8 shall consider transportation and land use planning strate-
9 gies to reduce transportation-related greenhouse gas emis-
10 sions, including the following:

11 “(1) Efforts to increase or improve public
12 transportation, including—

13 “(A) new public transportation systems,
14 including new commuter rail systems;

15 “(B) expansion of existing public transpor-
16 tation systems;

17 “(C) employer-based subsidies;

18 “(D) cleaner locomotive technologies; and

19 “(E) quality of service improvements, in-
20 cluding improved frequency of service.

21 “(2) Updates to zoning and other land use reg-
22 ulations and plans to support development that—

23 “(A) coordinates transportation and land
24 use planning;

1 “(B) focuses future growth close to exist-
2 ing and planned job centers and public facili-
3 ties;

4 “(C) uses existing infrastructure;

5 “(D) promotes walking, bicycling, and pub-
6 lic transportation use; and

7 “(E) mixes land uses such as housing, re-
8 tail, and schools.

9 “(3) Implementation of a policy (referred to as
10 a ‘complete streets policy’) that—

11 “(A) ensures adequate accommodation of
12 all users of transportation systems, including
13 pedestrians, bicyclists, public transportation
14 users, motorists, children, the elderly, and indi-
15 viduals with disabilities; and

16 “(B) adequately addresses the safety and
17 convenience of all users of the transportation
18 system.

19 “(4) Construction of bicycle and pedestrian in-
20 frastructure facilities, including facilities that im-
21 prove the connections with networks that provide ac-
22 cess to human services, employment, schools, and re-
23 tail.

24 “(5) Projects to promote telecommuting, flexi-
25 ble work schedules, or satellite work centers.

1 “(6) Pricing measures, including tolling, con-
2 gestion pricing, and pay-as-you-drive insurance.

3 “(7) Intermodal freight system strategies, in-
4 cluding enhanced rail services, short sea shipping,
5 and other strategies.

6 “(8) Parking policies.

7 “(9) Intercity rail service, including high speed
8 rail.

9 “(10) Travel demand management projects.

10 “(11) Restriction of the use of certain roads, or
11 lanes, by vehicles other than passenger buses and
12 high-occupancy vehicles.

13 “(12) Reduction of vehicle idling, including
14 idling associated with freight management, construc-
15 tion, transportation, and commuter operations.

16 “(13) Policies to encourage the use of retrofit
17 technologies and early replacement of vehicles, en-
18 gines and equipment to reduce transportation-re-
19 lated greenhouse gas emissions from existing mobile
20 sources.

21 “(14) Other projects that the Administrator
22 finds reduce transportation-related greenhouse gas
23 emissions.

1 “(f) PUBLIC AVAILABILITY.—The Administrator
2 shall publish, including by posting on the Environmental
3 Protection Agency’s website—

4 “(1) the goals and plans submitted under sub-
5 section (a); and

6 “(2) for each plan submitted under subsection
7 (a)(2), an analysis of the anticipated effects of the
8 plan on greenhouse gas emissions and oil consump-
9 tion.

10 “(g) CERTIFICATION.—The Administrator, in con-
11 sultation with the Secretary, shall certify a State or metro-
12 politan planning organization greenhouse gas reduction
13 plan submitted under subsection (a)(2) if the plan’s imple-
14 mentation is likely to meet the corresponding greenhouse
15 gas reduction goal referred to in subsection (a)(1). If the
16 Administrator, in consultation with the Secretary, deter-
17 mines that a submitted plan cannot be certified, the State
18 or metropolitan planning organization shall revise and re-
19 submit the plan within 1 year.

20 “(h) ENFORCEMENT.—If the Administrator finds
21 that a State has failed to submit goals under subsection
22 (a)(1), has failed to ensure the submission of a plan under
23 subsection (a)(2), or has failed to submit a revised plan
24 under subsection (g), for any area in the State (irrespec-
25 tive of whether the area is a nonattainment area), the Ad-

1 administrator shall impose a prohibition in accordance with
2 section 179(b)(1) applicable to the area within 2 years of
3 such a finding. The Administrator may not impose a pro-
4 hibition under the preceding sentence, and no action may
5 be brought by the Administrator or any other entity alleg-
6 ing a violation of this section, based on the content or ade-
7 quacy of a goal or plan submitted under subsection (a)(1)
8 or (a)(2) or failure to achieve the goal submitted under
9 subsection (a)(1).

10 “(i) COMPETITIVE GRANTS.—

11 “(1) GRANTS.—The Administrator, in consulta-
12 tion with the Secretary, may—

13 “(A) award grants to support activities re-
14 lated to improving data collection, modeling,
15 and monitoring systems to assess transpor-
16 tation-related greenhouse gas emissions and the
17 effects of plans, policies, and strategies ref-
18 erenced in this section;

19 “(B) award grants to States and metro-
20 politan planning organizations for the develop-
21 ment of goals and plans to be submitted under
22 sections (a)(1) or (a)(2); and

23 “(C) award grants, on a competitive basis,
24 to implement plans certified under subsection
25 (g) or elements thereof, provided that each

1 project thus funded includes a measurement
2 and evaluation component that meets the regu-
3 lations promulgated under subsection (b).

4 “(2) PRIORITY.—In making grants under para-
5 graph (1)(C), the Administrator shall give priority to
6 applicants based upon—

7 “(A) the amount of total greenhouse gas
8 emissions to be reduced as a result of imple-
9 mentation of a certified plan, within the covered
10 area, as determined by methods established
11 under subsection (b); and

12 “(B) the amount of per capita greenhouse
13 gas emissions to be reduced as a result of im-
14 plementation of a certified plan, within the cov-
15 ered area, as determined by methods estab-
16 lished under subsection (b);

17 “(C) the cost effectiveness, in terms of dol-
18 lars per tons of greenhouse gas reductions, to
19 be achieved as a result of the implementation of
20 a certified plan;

21 “(D) the potential for both short- and
22 long-term reductions; and

23 “(E) such other factors as the Adminis-
24 trator determines appropriate.

1 “(3) AUTHORIZATION OF APPROPRIATIONS.—

2 To carry out this subsection, there are authorized to
3 be appropriated such sums as may be necessary.

4 “(j) DEFINITIONS.—In this section:

5 “(1) The term ‘metropolitan planning organiza-
6 tion’ means a metropolitan planning organization, as
7 such term is used in section 176.

8 “(2) The term ‘scenario analysis’ means an
9 analysis that is conducted by identifying different
10 trends and making projections based on those trends
11 to develop a range of scenarios and estimates of how
12 each scenario could improve access to goods and
13 services, including access to employment, education,
14 and health care (especially for elderly and economi-
15 cally disadvantaged communities), and could affect
16 rates of—

17 “(A) vehicle miles traveled;

18 “(B) vehicle hours traveled;

19 “(C) use of mobile source fuel by type, in-
20 cluding electricity; and

21 “(D) transportation-related greenhouse gas
22 emissions.

23 “(k) LAND USE AUTHORITY.—Nothing in this sec-
24 tion may be construed to—

1 “(1) infringe upon the existing authority of
2 State or local governments to plan or control land
3 use; or

4 “(2) provide or transfer authority over land use
5 to any other entity.”.

6 **SEC. 223. SMARTWAY TRANSPORTATION EFFICIENCY PRO-**
7 **GRAM.**

8 Part B of title VIII of the Clean Air Act, as added
9 by section 221 of this Act is amended by adding after sec-
10 tion 821 the following section:

11 **“SEC. 822. SMARTWAY TRANSPORTATION EFFICIENCY PRO-**
12 **GRAM.**

13 “(a) IN GENERAL.—There is established within the
14 Environmental Protection Agency a SmartWay Transport
15 Program to quantify, demonstrate, and promote the bene-
16 fits of technologies, products, fuels, and operational strate-
17 gies that reduce petroleum consumption, air pollution, and
18 greenhouse gas emissions from the mobile source sector.

19 “(b) GENERAL DUTIES.—Under the program estab-
20 lished under this section, the Administrator shall carry out
21 each of the following:

22 “(1) Development of measurement protocols to
23 evaluate the energy consumption and greenhouse gas
24 impacts from technologies and strategies in the mo-