

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title 23, United States Code, to establish a high risk rural roads safety program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. KELLY (for himself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 23, United States Code, to establish a high risk rural roads safety program, 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 “High Risk Rural Roads  
5 Safety Act of 2021”.

6 **SEC. 2. HIGH RISK RURAL ROADS SAFETY GRANT PRO-**  
7 **GRAM.**

8 Section 148 of title 23, United States Code, is  
9 amended by adding at the end the following:

1           “(1) HIGH RISK RURAL ROADS PROGRAM SET-  
2 ASIDE.—

3           “(1) DEFINITION OF INDIAN TRIBE.—

4                   “(A) IN GENERAL.—In this subsection, the  
5 term ‘Indian Tribe’ has the meaning given the  
6 term in section 207(m)(1).

7                   “(B) INCLUSIONS.—In this subsection, the  
8 term ‘Indian Tribe’ includes a Native village  
9 and a Native Corporation (as those terms are  
10 defined in section 3 of the Alaska Native  
11 Claims Settlement Act (43 U.S.C. 1602)).

12           “(2) RESERVATION OF FUNDS.—

13                   “(A) IN GENERAL.—Of the funds appor-  
14 tioned to a State under section 104(b)(3) for  
15 each fiscal year, the Secretary shall reserve an  
16 amount such that the Secretary reserves a total  
17 under this subsection of \$750,000,000, of  
18 which—

19                           “(i) \$150,000,000 shall be for grants  
20 to Indian Tribes under paragraph (3); and

21                           “(ii) \$600,000,000 shall be appor-  
22 tioned to States in accordance with para-  
23 graph (4).

1           “(B) NOT TRANSFERABLE.—Amounts re-  
2 served under this paragraph shall not be trans-  
3 ferable.

4           “(3) TRIBAL GRANT PROGRAM.—

5           “(A) IN GENERAL.—The Secretary, in con-  
6 sultation with the Secretary of the Interior,  
7 shall establish a program to provide grants to  
8 Indian Tribes to improve safety on high risk  
9 rural roads.

10           “(B) APPLICATIONS.—To be eligible to re-  
11 ceive a grant under the program, an Indian  
12 Tribe shall submit to the Secretary an applica-  
13 tion at such time, in such manner, and con-  
14 taining such information as the Secretary may  
15 require.

16           “(C) USE OF FUNDS.—An Indian Tribe  
17 may use funds from a grant under this para-  
18 graph only for a highway safety improvement  
19 project on a high risk rural road.

20           “(D) STATE STRATEGIC HIGHWAY SAFETY  
21 PLAN.—A project carried out under this para-  
22 graph shall not be required to be included in a  
23 State strategic highway safety plan.

24           “(E) FEDERAL SHARE.—The Federal  
25 share of the cost of a project carried out with

1 a grant under the program may be up to 100  
2 percent.

3 “(4) STATE APPORTIONMENT.—

4 “(A) IN GENERAL.—The Secretary shall  
5 apportion amounts under paragraph (2)(A)(ii)  
6 to States based on the proportion that—

7 “(i) the amount apportioned to the  
8 State under section 104(b)(3) for the fiscal  
9 year; bears to

10 “(ii) the amount apportioned to all  
11 States under section 104(b)(3) for the fis-  
12 cal year.

13 “(B) ALLOCATION WITHIN A STATE.—  
14 Funds apportioned to a State under this para-  
15 graph shall be obligated in areas of the State  
16 in which the population is not more than  
17 50,000, based on the proportion that—

18 “(i) the population of the applicable  
19 area of the State; bears to

20 “(ii) the total population of all areas  
21 of the State with a population of not more  
22 than 50,000.

23 “(C) RESERVATION.—For each fiscal year,  
24 a State may reserve not more than 2 percent of  
25 the funds apportioned to a State under this

1 paragraph to provide technical assistance to as-  
2 sist areas of the State described in subpara-  
3 graph (B) in carrying out an eligible project  
4 under subparagraph (D).

5 “(D) ELIGIBLE PROJECTS.—

6 “(i) IN GENERAL.—A State may use  
7 amounts apportioned under this paragraph  
8 only for a highway safety improvement  
9 project on a high risk rural road.

10 “(ii) SELECTION.—To the maximum  
11 extent practicable, in selecting projects to  
12 carry out under this paragraph, a State  
13 shall consult with the unit of local govern-  
14 ment representing the area in which the  
15 project will be carried out.

16 “(E) FEDERAL SHARE.—The Federal  
17 share of the cost of a project carried out under  
18 this paragraph shall be 100 percent.”.