

report on the results of the project and the use of the funds awarded.

“(2) REPORTS TO CONGRESS.—

“(A) ANNUAL REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and publish on the website of the Department of Transportation, an annual report that describes the implementation of the program during the preceding calendar year, including—

“(i) each project for which a grant was provided under subsection (d);

“(ii) information relating to project applications received;

“(iii) the manner in which the consultation requirements were implemented under subsection (d);

“(iv) recommendations to improve the administration of subsection (d), including whether assistance from additional or fewer agencies to carry out the program is appropriate;

“(v) the period required to disburse grant funds to eligible entities based on applicable Federal coordination requirements; and

“(vi) a list of facilities that repeatedly require repair or reconstruction due to emergency events.

“(B) FINAL REPORT.—Not later than 5 years after the date of enactment of the Surface Transportation Reauthorization Act of 2021, the Secretary shall submit to Congress a report that includes the results of the reports submitted under subparagraph (A).

“(h) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project assisted under this section shall be treated as a project on a Federal-aid highway under this chapter.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code (as amended by section 11403(b)), is amended by inserting after the item relating to section 175 the following:

“176. Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) program.”.

**SEC. 11406. HEALTHY STREETS PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) COOL PAVEMENT.—The term “cool pavement” means a pavement with reflective surfaces with higher albedo to decrease the surface temperature of that pavement.

(2) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State;

(B) a metropolitan planning organization;

(C) a unit of local government;

(D) a Tribal government; and

(E) a nonprofit organization working in coordination with an entity described in subparagraphs (A) through (D).

(3) LOW-INCOME COMMUNITY.—The term “low-income community” means a census block group in which not less than 30 percent of the population lives below the poverty line

(as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902)).

(4) POROUS PAVEMENT.—The term “porous pavement” means a paved surface with a higher than normal percentage of air voids to allow water to pass through the surface and infiltrate into the subsoil.

(5) PROGRAM.—The term “program” means the Healthy Streets program established under subsection (b).

(6) STATE.—The term “State” has the meaning given the term in section 101(a) of title 23, United States Code.

(7) TRIBAL GOVERNMENT.—The term “Tribal government” means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(b) ESTABLISHMENT.—The Secretary shall establish a discretionary grant program, to be known as the “Healthy Streets program”, to provide grants to eligible entities—

- (1) to deploy cool pavements and porous pavements; and
- (2) to expand tree cover.

(c) GOALS.—The goals of the program are—

- (1) to mitigate urban heat islands;
- (2) to improve air quality; and
- (3) to reduce—
  - (A) the extent of impervious surfaces;
  - (B) stormwater runoff and flood risks; and
  - (C) heat impacts to infrastructure and road users.

(d) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) REQUIREMENTS.—The application submitted by an eligible entity under paragraph (1) shall include a description of—

- (A) how the eligible entity would use the grant funds; and
- (B) the contribution that the projects intended to be carried out with grant funds would make to improving the safety, health outcomes, natural environment, and quality of life in low-income communities and disadvantaged communities.

(e) USE OF FUNDS.—An eligible entity that receives a grant under the program may use the grant funds for 1 or more of the following activities:

- (1) Conducting an assessment of urban heat islands to identify hot spot areas of extreme heat or elevated air pollution.
- (2) Conducting a comprehensive tree canopy assessment, which shall assess the current tree locations and canopy, including—
  - (A) an inventory of the location, species, condition, and health of existing tree canopies and trees on public facilities; and
  - (B) an identification of—

- (i) the locations where trees need to be replaced;
  - (ii) empty tree boxes or other locations where trees could be added; and
  - (iii) flood-prone locations where trees or other natural infrastructure could mitigate flooding.
- (3) Conducting an equity assessment by mapping tree canopy gaps, flood-prone locations, and urban heat island hot spots as compared to—
  - (A) pedestrian walkways and public transportation stop locations;
  - (B) low-income communities; and
  - (C) disadvantaged communities.
- (4) Planning activities, including developing an investment plan based on the results of the assessments carried out under paragraphs (1), (2), and (3).
- (5) Purchasing and deploying cool pavements to mitigate urban heat island hot spots.
- (6) Purchasing and deploying porous pavement to mitigate flooding and stormwater runoff in—
  - (A) pedestrian-only areas; and
  - (B) areas of low-volume, low-speed vehicular use.
- (7) Purchasing of trees, site preparation, planting of trees, ongoing maintenance and monitoring of trees, and repairing of storm damage to trees, with priority given to—
  - (A) to the extent practicable, the planting of native species; and
  - (B) projects located in a neighborhood with lower tree cover or higher maximum daytime summer temperatures compared to surrounding neighborhoods.
- (8) Assessing underground infrastructure and coordinating with local transportation and utility providers.
- (9) Hiring staff to conduct any of the activities described in paragraphs (1) through (8).
- (f) **PRIORITY.**—In awarding grants to eligible entities under the program, the Secretary shall give priority to an eligible entity—
  - (1) proposing to carry out an activity or project in a low-income community or a disadvantaged community;
  - (2) that has entered into a community benefits agreement with representatives of the community; or
  - (3) that is partnering with a qualified youth or conservation corps (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)).
- (g) **DISTRIBUTION REQUIREMENT.**—Of the amounts made available to carry out the program for each fiscal year, not less than 80 percent shall be provided for projects in urbanized areas (as defined in section 101(a) of title 23, United States Code).
- (h) **FEDERAL SHARE.**—
  - (1) **IN GENERAL.**—Except as provided under paragraph (2), the Federal share of the cost of a project carried out under the program shall be 80 percent.
  - (2) **WAIVER.**—The Secretary may increase the Federal share requirement under paragraph (1) to 100 percent for projects carried out by an eligible entity that demonstrates economic hardship, as determined by the Secretary.
- (i) **MAXIMUM GRANT AMOUNT.**—An individual grant under this section shall not exceed \$15,000,000.

(j) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project assisted under this section shall be treated as a project on a Federal-aid highway under chapter 1 of title 23, United States Code.

## Subtitle E—Miscellaneous

### SEC. 11501. ADDITIONAL DEPOSITS INTO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Section 105 of title 23, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 105.

### SEC. 11502. STOPPING THREATS ON PEDESTRIANS.

(a) DEFINITION OF BOLLARD INSTALLATION PROJECT.—In this section, the term “bollard installation project” means a project to install raised concrete or metal posts on a sidewalk adjacent to a roadway that are designed to slow or stop a motor vehicle.

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act and subject to the availability of appropriations, the Secretary shall establish and carry out a competitive grant pilot program to provide assistance to State departments of transportation and local government entities for bollard installation projects designed to prevent pedestrian injuries and acts of terrorism in areas used by large numbers of pedestrians.

(c) APPLICATION.—To be eligible to receive a grant under this section, a State department of transportation or local government entity shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary determines to be appropriate, which shall include, at a minimum—

(1) a description of the proposed bollard installation project to be carried out;

(2) a description of the pedestrian injury or terrorism risks with respect to the proposed installation area; and

(3) an analysis of how the proposed bollard installation project will mitigate those risks.

(d) USE OF FUNDS.—A recipient of a grant under this section may only use the grant funds for a bollard installation project.

(e) FEDERAL SHARE.—The Federal share of the costs of a bollard installation project carried out with a grant under this section may be up to 100 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$5,000,000 for each of fiscal years 2022 through 2026.

(g) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project assisted under this section shall be treated as a project on a Federal-aid highway under chapter 1 of title 23, United States Code.

### SEC. 11503. TRANSFER AND SALE OF TOLL CREDITS.

(a) DEFINITIONS.—In this section:

(1) ORIGINATING STATE.—The term “originating State” means a State that—

(A) is eligible to use a credit under section 120(i) of title 23, United States Code; and