To amend title 23, United States Code, to provide sanctions for States using certain congestion pricing systems, to amend the Intermodal Surface Transportation Efficiency Act of 1991 to require consent of affected States in carrying out value pricing pilot projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Menendez introduced the following bill; which was read twice and referred to the Committee on ___________________

A BILL

To amend title 23, United States Code, to provide sanctions for States using certain congestion pricing systems, to amend the Intermodal Surface Transportation Efficiency Act of 1991 to require consent of affected States in carrying out value pricing pilot projects, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Taxation of Overburdened People from New Jersey by Correcting Obnoxious New Gimmick and Ensuring the Stability of Trans-
portation Infrastructure from Obstinate Neighbors Act” or the “STOP NJ CONGESTION Act”.

SEC. 2. SANCTIONS FOR STATES USING CERTAIN CONGESTION PRICING SYSTEMS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 159 the following:

“§ 160. Sanctions for States using certain congestion pricing systems

“(a) IN GENERAL.—On October 1, 2023, and each October 1 thereafter, the Secretary shall withhold the amounts described in subsection (b) from the amount required to be apportioned to the State under section 104(b) for that fiscal year from each State that implements a congestion pricing system described in, or similar to, the program described in the environmental assessment titled ‘Final Environmental Assessment and Draft Finding of No Significant Impact (FONSI) for Central Business District (CBD) Tolling Program, Manhattan, New York’, dated April 2023.

“(b) AMOUNTS DESCRIBED.—The amounts referred to in subsection (a) are—

“(1) for amounts required to be apportioned to the State under section 104(b)(1), 50 percent; and
“(2) for amounts required to be apportioned to the State under section 104(b)(2), 50 percent.

“(c) Effect of Withholding.—No funds withheld under this section from apportionment to a State shall be available to that State.”.

(b) Clerical Amendment.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 159 the following:

“160. Sanction for States using certain congestion pricing systems.”.

SEC. 3. VALUE PRICING PILOT PROGRAM.

Section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; Public Law 102–240) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

“(8) Consent of Affected States.—Before implementing a value pricing pilot program under this subsection, the project sponsor shall meaningfully engage with, and receive consent from, each State reasonably affected by the value pricing pilot program, including any State with a geographic area included in a regional or local study area included in an environmental review prepared in accordance
with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)."