

119TH CONGRESS
2D SESSION

S. _____

To amend chapter 53 of title 49, United States Code, to provide competitive grants to assist State and local governmental authorities in addressing accessibility needs of legacy rail fixed guideway public transportation systems.

IN THE SENATE OF THE UNITED STATES

Ms. DUCKWORTH (for herself and Mr. McCORMICK) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend chapter 53 of title 49, United States Code, to provide competitive grants to assist State and local governmental authorities in addressing accessibility needs of legacy rail fixed guideway public transportation systems.

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 “All Stations Accessi-
5 bility Program Reauthorization Act” or the “ASAP Act”.

1 **SEC. 2. COMPETITIVE GRANTS FOR ACCESSIBILITY UP-**
2 **GRADES TO LEGACY RAIL FIXED GUIDEWAY**
3 **PUBLIC TRANSPORTATION SYSTEMS.**

4 (a) IN GENERAL.—Chapter 53 of title 49, United
5 States Code, is amended by inserting after section 5315
6 the following:

7 **“§ 5316. Accessibility grants for legacy rail fixed**
8 **guideway public transportation systems**

9 “(a) DEFINITIONS.—In this section:

10 “(1) CENTER FOR INDEPENDENT LIVING.—The
11 term ‘center for independent living’ has the meaning
12 given the term in section 702 of the Rehabilitation
13 Act of 1973 (29 U.S.C. 796a).

14 “(2) DISABILITY.—The term ‘disability’ has the
15 meaning given the term in section 3 of the Ameri-
16 cans with Disabilities Act of 1990 (42 U.S.C.
17 12102).

18 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
19 tity’ means a State or local governmental authority.

20 “(4) LEGACY RAIL FIXED GUIDEWAY PUBLIC
21 TRANSPORTATION SYSTEM.—The term ‘legacy rail
22 fixed guideway public transportation system’—

23 “(A) means a rail fixed guideway public
24 transportation system that was in operation be-
25 fore July 26, 1990; and

1 “(B) includes a commuter rail system that
2 uses stations or facilities for passenger use con-
3 structed before July 26, 1990.

4 “(5) PROTECTION AND ADVOCACY SYSTEM.—

5 The term ‘protection and advocacy system’ means
6 such a system established in accordance with section
7 143 of the Developmental Disabilities Assistance
8 and Bill of Rights Act of 2000 (42 U.S.C. 15043).

9 “(b) GRANTS.—The Secretary may make grants
10 under this section to assist eligible entities in financing
11 capital projects to upgrade the accessibility of legacy rail
12 fixed guideway public transportation systems for persons
13 with disabilities, including those who use wheelchairs, by
14 increasing the number of existing (as of the date of enact-
15 ment of the ASAP Act) stations or facilities for passenger
16 use that meet (including exceeding) the new construction
17 standards of title II of the Americans with Disabilities Act
18 of 1990 (42 U.S.C. 12131 et seq.).

19 “(c) ELIGIBLE COSTS.—

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 an eligible entity may use a grant awarded under
22 this section—

23 “(A) for a project to repair, improve, mod-
24 ify, retrofit, or relocate infrastructure of sta-
25 tions or facilities for passenger use, including

1 load-bearing members that are an essential part
2 of the structural frame;

3 “(B) to develop or modify a plan for pur-
4 suing public transportation accessibility
5 projects, including—

6 “(i) assessments of accessibility or as-
7 sessments of planned modifications to sta-
8 tions or facilities for passenger use, per-
9 formed by the protection and advocacy sys-
10 tem for persons with disabilities in the ap-
11 plicable State, a center for independent liv-
12 ing, or a similar nonprofit organization fo-
13 cused on ensuring people with disabilities
14 are able to live in and participate in their
15 communities; or

16 “(ii) coordination by the recipient
17 with such protection and advocacy system,
18 center for independent living, or similar
19 nonprofit organization; or

20 “(C) to carry out other legacy rail stations
21 or passenger facility projects that meet (includ-
22 ing exceeding) the new construction standards
23 of title II of the Americans with Disabilities Act
24 of 1990 (42 U.S.C. 12131 et seq.).

1 “(2) LIMITATION.—Eligible costs for a project
2 funded with a grant awarded under this section shall
3 be limited to the costs associated with carrying out
4 the purpose authorized under subsection (b).

5 “(d) ELIGIBLE STATIONS OR FACILITIES FOR PAS-
6 SENGER USE.—An eligible entity may use a grant award-
7 ed under this section to upgrade the accessibility of legacy
8 rail fixed guideway public transportation systems, by in-
9 creasing the number of existing (as of the date of enact-
10 ment of the ASAP Act) stations or facilities for passenger
11 use that are accessible to and usable by individuals with
12 disabilities, including individuals who use wheelchairs,
13 consistent with current (as of the date of the upgrade)
14 new construction standards under title II of the Americans
15 with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.),
16 even if the related service, program, or activity, when
17 viewed in its entirety, is readily accessible and usable as
18 so described.

19 “(e) ACCESSIBILITY COMMITMENT.—An eligible enti-
20 ty that receives a grant under this section shall adopt a
21 plan under which the entity commits to pursuing public
22 transportation accessibility projects that—

23 “(1) enhance the customer experience and
24 maximize accessibility of rolling stock and stations

1 or facilities for passenger use for individuals with
2 disabilities, including—

3 “(A) accessibility for individuals with phys-
4 ical disabilities, including those who use wheel-
5 chairs;

6 “(B) accessibility for individuals with sen-
7 sory disabilities; and

8 “(C) accessibility for individuals with intel-
9 lectual or developmental disabilities;

10 “(2) improve the operations of, provide effi-
11 ciencies of service to, and enhance the public trans-
12 portation system for individuals with disabilities; and

13 “(3) address equity of service to all riders re-
14 gardless of income, age, race, or ability, taking into
15 account historical and current service gaps for low-
16 income riders, older individuals, riders from commu-
17 nities of color, and riders with disabilities.

18 “(f) COORDINATION WITH DISABILITY ADVOCACY
19 ENTITIES.—In administering grants under this section,
20 the Secretary shall encourage—

21 “(1) coordination between recipients and dis-
22 ability advocacy entities such as the protection and
23 advocacy system for persons with disabilities in the
24 applicable State, a center for independent living, or
25 a similar nonprofit organization focused on ensuring

1 people with disabilities are able to live in and partici-
2 pate in their communities; and

3 “(2) assessments of accessibility or assessments
4 of planned modifications to stations or facilities for
5 passenger use, performed by such an advocacy enti-
6 ty, to the extent merited by the scope of the capital
7 project of the recipient proposed to be assisted under
8 this section.

9 “(g) GOVERNMENT SHARE OF COSTS.—A grant for
10 a project under this section shall be for not more than
11 80 percent of the net project cost of the project. The re-
12 cipient may provide additional local matching amounts.”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
14 5338 of title 49, United States Code, is amended by add-
15 ing at the end the following:

16 “(f) ACCESSIBILITY GRANTS FOR LEGACY RAIL
17 FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS.—

18 “(1) IN GENERAL.—There are authorized to be
19 appropriated the Mass Transit Account of the High-
20 way Trust Fund to carry out section 5316
21 \$350,000,000 for fiscal year 2027 and each fiscal
22 year thereafter.

23 “(2) ADJUSTMENT.—Amounts authorized to be
24 appropriated under paragraph (1) for fiscal year
25 2028 and each fiscal year thereafter shall be ad-

1 justed annually for inflation based on the Consumer
2 Price Index for All Urban Consumers published by
3 the Department of Labor.”.

4 (c) TECHNICAL AND CONFORMING AMENDMENT.—
5 The table of sections for chapter 53 of title 49, United
6 States Code, is amended by inserting after the item relat-
7 ing to section 5315 the following:

 “5316. Accessibility grants for legacy rail fixed guideway public transportation
 systems.”.