

This document has been prepared as part of the implementation project of **Legal Pathways to Deep Decarbonization** (Michael B. Gerrard and John C. Dernbach, eds. Environmental Law Institute [2019]) (LPDD). For background information on the project, see <https://lpdd.org>

Consideration of GHG Emission Reductions by
Metropolitan Planning Organizations
(Legal Pathways to Deep Decarbonization in the United States,
Chapter 13, Recommendation 2 – p. 335)

MODEL LEGISLATION

1 **SECTION 1. SHORT TITLE.**

2
3 This Act may be cited as the “Climate Change Prevention and Transportation Planning Act.”
4

5 **SEC. 2. ADDING GREENHOUSE GAS EMISSIONS MINIMIZATION TO NATIONAL POLICY INTERESTS**
6 **UNDER SECTION 134 OF TITLE 23.**

7
8 Section 134(a)(1) of title 23, United States Code, is amended by inserting “, greenhouse gas
9 emissions,” after “transportation-related fuel consumption” and before “and air pollution”.

10
11 **SEC. 3. DEFINITIONS IN SECTION 134(b) OF TITLE 23.**

12
13 Section 134(b) of title 23, United States Code, is amended –

14
15 (a) by re-designating paragraphs (1) through (7) as paragraphs (3) through (9), and

16
17 (b) by inserting before paragraph (3), as re-designated by subsection (a), the following:

18
19 “(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the United States
20 Environmental Protection Agency.

21
22 (2) GREENHOUSE GAS.—The term ‘greenhouse gas’ means carbon dioxide (CO₂), methane (CH₄),
23 nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbon
24 (PFCs), and, as defined by rule of the Administrator, other greenhouse gases.”.

25
26 **SEC. 4. REQUIRING CONSULTATION WITH OFFICIALS RESPONSIBLE FOR CLIMATE ACTION**
27 **PLANNING UNDER SECTION 134 OF TITLE 23.**

28
29 Section 134(g)(3)(A) of title 23, United States Code, is amended by inserting “greenhouse gas
30 emissions reductions or climate action planning,” after “environmental protection,” and before
31 “airport operations”.

32
33 **SEC. 5. REDUCING GREENHOUSE GASES THROUGH METROPOLITAN TRANSPORTATION**
34 **PLANNING UNDER SECTION 134 OF TITLE 23.**

35

1 Section 134(h)(1) of title 23, United States Code, is amended –

2

3 (a) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
4 emissions” in subparagraph (H) after “existing transportation system” and before “;”,

1
2 (b) by striking “and” at the end of subsection (I),

3
4 (c) by striking the period at the end of subsection (J) and inserting “; and”, and

5
6 (d) by adding at the end the following:

7
8 “(K) reduce the amount of greenhouse gases produced or emitted by the transportation system or
9 by users of the transportation system.”.

10
11 **SEC. 6. REQUIRING DISCUSSION OF GREENHOUSE GAS MITIGATION ACTIVITIES UNDER SECTION**
12 **134 OF TITLE 23.**

13
14 Section 134(i)(2) of title 23, United States Code, is amended –

15
16 (a) by inserting “and greenhouse gas” after “potential environmental” and before “mitigation
17 activities” in subparagraph (D)(i); and

18
19 (b) by inserting “greenhouse gas emissions,” after “congestion, pollution,” and before “and
20 energy consumption” in subparagraph (H).

21
22 **SEC. 7. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR GREENHOUSE GAS**
23 **EMISSIONS REDUCTIONS UNDER SECTION 134 OF TITLE 23.**

24
25 Section 134(i)(5)(A) of title 23, United States Code, is amended by inserting “the reduction of
26 greenhouse gas emissions,” after “environmental protection, conservation,” and before “and
27 historic preservation”.

28
29 **SEC. 8. REDUCING GREENHOUSE GASES THROUGH STATEWIDE AND NONMETROPOLITAN**
30 **TRANSPORTATION PLANNING UNDER SECTION 135 OF TITLE 23.**

31
32 Section 135(d)(1) of title 23, United States Code, is amended –

33
34 (a) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
35 emissions” in subparagraph (H) after “existing transportation system” and before “;”,

36
37 (b) by striking “and” at the end of subsection (I),

38
39 (c) by striking the period at the end of subsection (J) and inserting “; and”, and

40
41 (d) by adding at the end the following:

42
43 “(K) reduce the amount of greenhouse gases produced or emitted by the transportation system or
44 by users of the transportation system.”,

45
46 **SEC. 9. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR GREENHOUSE GAS**
47 **EMISSIONS REDUCTIONS UNDER SECTION 135 OF TITLE 23.**

1
2 Section 135(f)(2)(D)(i) of title 23, United States Code, is amended by inserting “the reduction of
3 greenhouse gas emissions,” after “environmental protection, conservation,” and before “and
4 historic preservation”.

5
6 **SEC. 10. REQUIRING DISCUSSION OF GREENHOUSE GAS MITIGATION ACTIVITIES UNDER**
7 **SECTION 135 OF TITLE 23.**

8
9 Section 135(f) of title 23, United States Code, is amended –

10
11 (a) by inserting “and greenhouse gas” after “potential environmental” and before “mitigation
12 activities” in subparagraph (4)(A); and

13
14 (b) by inserting “greenhouse gas emissions,” after “congestion, pollution,” and before
15 “and energy consumption” in subparagraph (8).

16
17 **SEC. 11. DESIGNATING GREENHOUSE GAS EMISSIONS REDUCTIONS AS A NATIONAL GOAL.**

18
19 Section 150 of title 23, United States Code, is amended –

20
21 (a) by inserting after subparagraph (b)(7) the following:

22
23 “(8) Reduced greenhouse gas emissions. – To reduce the amount of greenhouse gases produced
24 or emitted by the transportation system or by users of the transportation system.

25
26 (b) By inserting “and, with respect to subsection (b)(8), not later than 18 months after the
27 date of the enactment of the Climate Change Prevention and Transportation Planning
28 Act” after “the enactment of the MAP-21,” and before “the Secretary” in subparagraph
29 (c)(1).

30
31 **SEC. 12. ADDING GREENHOUSE GAS EMISSIONS MINIMIZATION TO NATIONAL POLICY INTERESTS**
32 **UNDER SECTION 5303 OF TITLE 49.**

33
34 Section 5303(a)(1) of title 49, United States Code, is amended by inserting “, greenhouse gas
35 emissions,” after “transportation-related fuel consumption” and before “and air pollution”.

36
37 **SEC. 13. DEFINITIONS IN SECTION 5303(b) OF TITLE 49.**

38
39 Section 5303(b) of title 49, United States Code, is amended –

40
41 (a) by re-designating paragraphs (1) through (7) as paragraphs (3) through (9), and

42
43 (b) by inserting before paragraph (3), as re-designated by subsection (a), the following:

44
45 “(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the United States
46 Environmental Protection Agency.
47

1 (2) GREENHOUSE GAS.—The term ‘greenhouse gas’ means carbon dioxide (CO₂), methane (CH₄),
2 nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbon
3 (PFCs), and, as defined by rule of the Administrator, other greenhouse gases.”.
4

5 **SEC. 14. REQUIRING CONSULTATION WITH OFFICIALS RESPONSIBLE FOR CLIMATE ACTION**
6 **PLANNING UNDER SECTION 5303 OF TITLE 49.**
7

8 Section 5303(g)(3)(A) of title 49, United States Code, is amended by inserting “greenhouse gas
9 emissions reductions or climate action planning,” after “environmental protection,” and before
10 “airport operations”.

11
12 **SEC. 15. REDUCING GREENHOUSE GASES THROUGH METROPOLITAN TRANSPORTATION**
13 **PLANNING UNDER SECTION 5303 OF TITLE 49.**
14

15 Section 5303(h)(1) of title 49, United States Code, is amended –

16
17 (a) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
18 emissions” in subparagraph (H) after “existing transportation system” and before “;”,
19

20 (b) by striking “and” at the end of subparagraph (H);
21

22 (c) by striking the period at the end of subparagraph (I) and inserting “; and”; and
23

24 (d) by adding at the end the following:
25

26 “(J) reduce the amount of greenhouse gases produced or emitted by the transportation system or
27 by users of the transportation system.”.

28 **SEC. 16. REQUIRING DISCUSSION OF GREENHOUSE GAS MITIGATION ACTIVITIES UNDER**
29 **SECTION 5303 OF TITLE 49.**
30

31 Section 5303(i)(2) of title 49, United States Code, is amended –

32
33 (a) by inserting “and greenhouse gas” after “potential environmental” and before “mitigation
34 activities” in subparagraph (D)(i); and
35

36 (b) by inserting “greenhouse gas emissions,” after “congestion, pollution,” and before “and
37 energy consumption” in subparagraph (H).
38

39 **SEC. 17. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR GREENHOUSE GAS**
40 **EMISSIONS REDUCTIONS UNDER SECTION 5303 OF TITLE 49.**
41

42 Section 5303(i)(5)(A) of title 49, United States Code, is amended by inserting “the reduction of
43 greenhouse gas emissions,” after “environmental protection, conservation,” and before “and
44 historic preservation”.

45
46 **SEC. 18. REDUCING GREENHOUSE GASES THROUGH STATEWIDE AND NONMETROPOLITAN**

1 **TRANSPORTATION PLANNING UNDER SECTION 5304 OF TITLE 49.**

2
3 Section 5304(d)(1) of title 49, United States Code, is amended –

4
5 (a) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
6 emissions” in subparagraph (H) after “existing transportation system” and before “;”,

7
8 (b) by striking “and” at the end of subsection (H),

9
10 (c) by striking the period at the end of subsection (I) and inserting “; and”, and

11
12 (d) by adding at the end the following:

13
14 “(J) reduce the amount of greenhouse gases produced or emitted by the transportation system or
15 by users of the transportation system.”,

16
17 **SEC. 19. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR GREENHOUSE GAS**
18 **EMISSIONS REDUCTIONS UNDER SECTION 5304 OF TITLE 49.**

19
20 Section 5304(f)(2)(D)(i) of title 49, United States Code, is amended by inserting “the reduction
21 of greenhouse gas emissions,” after “environmental protection, conservation,” and before “and
22 historic preservation”.

23
24 **SEC. 20. REQUIRING DISCUSSION OF GREENHOUSE GAS MITIGATION ACTIVITIES UNDER**
25 **SECTION 5304 OF TITLE 49.**

26
27 Section 5304(f) of title 49, United States Code, is amended by inserting “and greenhouse gas”
28 after “potential environmental” and before “mitigation activities” in subparagraph (4)(A).

29
OPTIONAL LANGUAGE/ALTERNATE VERSION

30 **SECTION 1. SHORT TITLE.**

31
32 This Act may be cited as the “Climate Change Prevention and Transportation Planning Act.”

33
34 **SEC. 2. ADDING MINIMIZATION OF GREENHOUSE GAS EMISSIONS AND BLACK CARBON**
35 **PRODUCTION TO NATIONAL POLICY INTERESTS UNDER SECTION 134 OF TITLE 23.**

36
37 Section 134(a)(1) of title 23, United States Code, is amended by inserting “, greenhouse gas
38 emissions, black carbon production,” after “transportation-related fuel consumption” and before
39 “and air pollution”.

40
41 **SEC. 3. DEFINITIONS IN SECTION 134(b) OF TITLE 23.**

42
43 Section 134(b) of title 23, United States Code, is amended –

44
45 (a) by re-designating paragraphs (1) through (7) as paragraphs (4) through (10), and

1
2 (b) by inserting before paragraph (4), as re-designated by subsection (a), the following:

3
4 “(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the United States
5 Environmental Protection Agency.

6
7 (2) BLACK CARBON.—The term ‘black carbon’ means the carbonaceous component of airborne
8 particulate matter that is the product of incomplete combustion of carbon-based fuels and that
9 absorbs all wavelengths of solar radiation.

10
11 (3) GREENHOUSE GAS.—The term ‘greenhouse gas’ means carbon dioxide (CO₂), methane (CH₄),
12 nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbon
13 (PFCs), and, as defined by rule of the Administrator, other greenhouse gases.”.

14
15 **SEC. 4. REQUIRING CONSULTATION WITH OFFICIALS RESPONSIBLE FOR CLIMATE ACTION**
16 **PLANNING UNDER SECTION 134 OF TITLE 23.**

17
18 Section 134(g)(3)(A) of title 23, United States Code, is amended by inserting “greenhouse gas
19 emissions reductions or climate action planning,” after “environmental protection,” and before
20 “airport operations”.

21
22 **SEC. 5. REDUCING GREENHOUSE GASES AND BLACK CARBON THROUGH METROPOLITAN**
23 **TRANSPORTATION PLANNING UNDER SECTION 134 OF TITLE 23.**

24
25 Section 134(h) of title 23, United States Code, is amended –

26
27 (a) in paragraph (1) –

28
29 (1) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
30 emissions and black carbon production” in subparagraph (H) after “existing transportation
31 system” and before “;”,

32
33 (2) by striking “and” at the end of subsection (I),

34
35 (3) by striking the period at the end of subsection (J) and inserting “; and”, and

36
37 (4) by adding at the end the following:

38
39 “(K) reduce the amount of greenhouse gases and black carbon produced by the transportation
40 system.”,

41
42 (b) by re-designating paragraphs (2) and (3) as paragraphs (3) and (4),

43
44 (c) by inserting before paragraph (3), as re-designated by subsection (b) hereto, the following:

45
46 “(2) PRIORITIZING THE REDUCTION OF GREENHOUSE GASES AND BLACK CARBON.—The
47 transportation planning process described in this section shall prioritize the reduction of the

1 amount of greenhouse gases and black carbon produced or emitted by the transportation system
2 or by users of the transportation system over other factors listed in paragraph (1).”,

3
4 (d) by inserting “; EXCEPTION FOR GREENHOUSE GAS AND BLACK CARBON FACTORS” after
5 “FACTORS” in the heading of paragraph (4), as re-designated by subsection (b), and

6
7 (e) by striking “in paragraphs (1) and (2)” in paragraph (4), as re-designated by subsection (b),
8 and inserting “in subparagraphs (A) through (J) of paragraph (1) or in paragraph (3)”.

9
10 **SEC. 6. REQUIRING DISCUSSION OF GREENHOUSE GAS AND BLACK CARBON MITIGATION**
11 **ACTIVITIES UNDER SECTION 134 OF TITLE 23.**

12
13 Section 134(i)(2) of title 23, United States Code, is amended –

14
15 (a) by inserting “, greenhouse gas, and black carbon” after “potential environmental” and
16 before “mitigation activities” in subparagraph (D)(i); and

17
18 (b) by inserting “greenhouse gas emissions, black carbon production,” after “congestion,
19 pollution,” and before “and energy consumption” in subparagraph (H).

20
21 **SEC. 7. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR REDUCTIONS IN**
22 **GREENHOUSE GAS EMISSIONS AND BLACK CARBON PRODUCTION UNDER SECTION 134 OF TITLE**
23 **23.**

24
25 Section 134(i)(5)(A) of Title 23, United States Code, is amended by inserting “the reduction of
26 greenhouse gas emissions and black carbon production,” after “environmental protection,
27 conservation,” and before “and historic preservation”.

28
29 **SEC. 8. REFLECTING CORRECT SECTION NUMBERS IN SECTION 134 OF TITLE 23.**

30
31 Section 134 of Title 23, United States Code, is amended –

32
33 (a) in subsection (i) –

34
35 (1) by striking “subsection (h)(2)” at the end of paragraph (2)(B) and inserting
36 “subsection (h)(3)”;

37
38 (2) by striking “subsection (h)(2)” at the end of paragraph (2)(C) and inserting
39 “subsection (h)(3)”;

40
41 (3) by striking “subsection (h)(2)” at the end of paragraph (4)(B)(iii) and inserting
42 “subsection (h)(3)”;

43
44 (4) by striking “subsection (h)(2)” at the end of paragraph (4)(B)(iv) and inserting
45 “subsection (h)(3)”;

46
47 (b) by striking “subsection (h)(2)” at the end of paragraph (1)(A)(iii) and inserting

1 “subsection (h)(3)”.

2
3 **SEC. 9. REDUCING GREENHOUSE GASES AND BLACK CARBON THROUGH STATEWIDE AND**
4 **NONMETROPOLITAN TRANSPORTATION PLANNING UNDER SECTION 135 OF TITLE 23.**

5
6 Section 135(d) of title 23, United States Code, is amended –

7
8 (a) in paragraph (1) –

9
10 (1) by inserting “to the extent that its preservation contributes to the reduction of
11 greenhouse gas emissions and black carbon production” in subparagraph (H) after
12 “existing transportation system” and before “;”,

13
14 (2) by striking “and” at the end of subsection (I),

15
16 (3) by striking the period at the end of subsection (J) and inserting “; and”, and

17
18 (4) by adding at the end the following:

19
20 “(K) reduce the amount of greenhouse gases and black carbon produced or emitted by the
21 transportation system or by users of the transportation system.”,

22
23 (b) by re-designating paragraphs (2) and (3) as paragraphs (3) and (4),

24
25 (c) by inserting before paragraph (3), as re-designated by subsection (b), the following:

26
27 “(2) PRIORITIZING THE REDUCTION OF GREENHOUSE GASES AND BLACK CARBON.—The
28 transportation planning process described in this section shall prioritize the reduction of the
29 amount of greenhouse gases and black carbon produced by the transportation system over other
30 factors listed in paragraph (1).”,

31
32 (d) by inserting “; EXCEPTION FOR GREENHOUSE GAS AND BLACK CARBON” after “FACTORS” in the
33 heading of paragraph (4), as re-designated by subsection (b), and

34
35 (e) by striking “in paragraphs (1) and (2)” in paragraph (4), as re-designated by subsection (b),
36 and inserting “in subparagraphs (A) through (J) of paragraph (1) or in paragraph (3)”.

37
38 **SEC. 10. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR REDUCING**
39 **GREENHOUSE GAS EMISSIONS AND BLACK CARBON PRODUCTION UNDER SECTION 135 OF TITLE**
40 **23.**

41
42 Section 135(f)(2)(D)(i) of title 23, United States Code, is amended by inserting “the reduction of
43 greenhouse gas emissions and black carbon production,” after “environmental protection,
44 conservation,” and before “and historic preservation”.

45
46 **SEC. 11. REQUIRING DISCUSSION OF GREENHOUSE GAS AND BLACK CARBON MITIGATION**
47 **ACTIVITIES UNDER SECTION 135 OF TITLE 23.**

1
2 Section 135(f) of title 23, United States Code, is amended –

3
4 (a) by inserting “and greenhouse gas and black carbon” after “potential environmental”
5 and before “mitigation activities” in subparagraph (4)(A); and

6
7 (b) by inserting “greenhouse gas emissions, black carbon production,” after “congestion,
8 pollution,” and before “and energy consumption” in paragraph (8).

9
10 **SEC. 12. REFLECTING CORRECT SECTION NUMBERS IN SECTION 135 OF TITLE 23.**

11
12 Section 135 of Title 23, United States Code, is amended –

13
14 (a) by striking “subsection (d)(2)” at the end of subparagraph (f)(7)(A) and inserting
15 “subsection (d)(3)”;

16
17 (b) by striking “subsection (d)(2)” in subparagraph (f)(7)(B) and inserting “subsection
18 (d)(3)”;

19
20 (c) by striking “subsection (d)(2)” in subparagraph (h)(1)(A) and inserting “subsection
21 (d)(3)”.

22
23 **SEC. 13. DESIGNATING THE REDUCTION OF GREENHOUSE GAS EMISSIONS AND BLACK CARBON**
24 **PRODUCTION AS A NATIONAL GOAL UNDER SECTION 150 OF TITLE 23.**

25
26 Section 150 of title 23, United States Code, is amended –

27
28 (a) by inserting after subparagraph (b)(7) the following:

29
30 “(8) Reduced greenhouse gas emissions. – To reduce the amount of greenhouse gases and black
31 carbon produced or emitted by the transportation system or by users of the transportation system.

32
33 (b) By inserting “and, with respect to subsection (b)(8), not later than 18 months after the
34 date of the enactment of the Climate Change Prevention and Transportation Planning
35 Act” after “the enactment of the MAP-21,” and before “the Secretary” in subparagraph
36 (c)(1).

37
38 **SEC. 14. ADDING MINIMIZATION OF GREENHOUSE GAS EMISSIONS AND BLACK CARBON**
39 **PRODUCTION TO NATIONAL POLICY INTERESTS UNDER SECTION 5303 OF TITLE 49.**

40
41 Section 5303(a)(1) of title 49, United States Code, is amended by inserting “, greenhouse gas
42 emissions, black carbon production,” after “transportation-related fuel consumption” and before
43 “and air pollution”.

44
45 **SEC. 15. DEFINITIONS IN SECTION 5303(b) OF TITLE 49.**

46
47 Section 5303(b) of title 49, United States Code, is amended –

1
2 (a) by re-designating paragraphs (1) through (7) as paragraphs (4) through (10), and

3
4 (b) by inserting before paragraph (4), as re-designated by subsection (a), the following:

5
6 “(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the United States
7 Environmental Protection Agency.

8
9 (2) BLACK CARBON.—The term ‘black carbon’ means the carbonaceous component of airborne
10 particulate matter that is the product of incomplete combustion of carbon-based fuels and that
11 absorbs all wavelengths of solar radiation.

12
13 (3) GREENHOUSE GAS.—The term ‘greenhouse gas’ means carbon dioxide (CO₂), methane (CH₄),
14 nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbon
15 (PFCs), and, as defined by rule of the Administrator, other greenhouse gases.”.

16
17 **SEC. 16. REQUIRING CONSULTATION WITH OFFICIALS RESPONSIBLE FOR CLIMATE ACTION**
18 **PLANNING UNDER SECTION 5303 OF TITLE 49.**

19
20 Section 5303(g)(3)(A) of title 23, United States Code, is amended by inserting “greenhouse gas
21 emissions reductions or climate action planning,” after “environmental protection,” and before
22 “airport operations”.

23
24 **SEC. 17. REDUCING GREENHOUSE GASES AND BLACK CARBON THROUGH METROPOLITAN**
25 **TRANSPORTATION PLANNING UNDER SECTION 5303 OF TITLE 49.**

26
27 Section 5303(h) of title 23, United States Code, is amended –

28
29 (a) in paragraph (1) –

30
31 (1) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
32 emissions and black carbon production” in subparagraph (H) after “existing transportation
33 system” and before “:.”,

34
35 (2) by striking “and” at the end of subsection (H),

36
37 (3) by striking the period at the end of subsection (I) and inserting “; and”, and

38
39 (4) by adding at the end the following:

40
41 “(J) reduce the amount of greenhouse gases and black carbon produced or emitted by the
42 transportation system or by users of the transportation system.”,

43
44 (b) by re-designating paragraphs (2) and (3) as paragraphs (3) and (4),

45
46 (c) by inserting before paragraph (3), as re-designated by subsection (b), the following:
47

1 “(2) PRIORITIZING THE REDUCTION OF GREENHOUSE GASES AND BLACK CARBON.—The
2 transportation planning process described in this section shall prioritize the reduction of the
3 amount of greenhouse gases and black carbon produced or emitted by the transportation system
4 or by users of the transportation system over other factors listed in paragraph (1).”,

5
6 (d) by inserting “; EXCEPTION FOR GREENHOUSE GAS AND BLACK CARBON FACTORS” after
7 “FACTORS” in the heading of paragraph (4), as re-designated by subsection (b), and

8
9 (e) by striking “in paragraphs (1) and (2)” in paragraph (4), as re-designated by subsection (b),
10 and inserting “in subparagraphs (A) through (I) of paragraph (1) or in paragraph (3)”.

11
12 **SEC. 18. REQUIRING DISCUSSION OF GREENHOUSE GAS AND BLACK CARBON MITIGATION**
13 **ACTIVITIES UNDER SECTION 5303 OF TITLE 49.**

14
15 Section 5303(i)(2) of title 49, United States Code, is amended –

16
17 (a) by inserting “, greenhouse gas, and black carbon” after “potential environmental” and before
18 “mitigation activities” in subparagraph (D)(i); and

19
20 (b) by inserting “greenhouse gas emissions, black carbon production,” after “congestion,
21 pollution,” and before “and energy consumption” in subparagraph (H).

22
23 **SEC. 19. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR GREENHOUSE GAS**
24 **EMISSIONS REDUCTIONS UNDER SECTION 5303 OF TITLE 49.**

25
26 Section 5303(i)(5)(A) of title 49, United States Code, is amended by inserting “the reduction of
27 greenhouse gas emissions and black carbon production,” after “environmental protection,
28 conservation,” and before “and historic preservation”.

29
30 **SEC. 20. REFLECTING CORRECT SECTION NUMBERS IN SECTION 5303 OF TITLE 49.**

31
32 Section 5303 of title 49, United States Code, is amended –

33
34 (a) in subsection (i) –

35
36 (1) by striking “subsection (h)(2)” at the end of paragraph (2)(B) and inserting “subsection
37 (h)(3)”;

38
39 (2) by striking “subsection (h)(2)” at the end of paragraph (2)(C) and inserting “subsection
40 (h)(3)”;

41
42 (3) by striking “subsection (h)(2)” at the end of paragraph (4)(B)(iii) and inserting “subsection
43 (h)(3)”;

44
45 (4) by striking “subsection (h)(2)” at the end of paragraph (4)(B)(iv) and inserting “subsection
46 (h)(3)”;

1 (b) by striking “subsection (h)(2)” at the end of subsection (j)(1)(A)(iii) and inserting “subsection
2 (h)(3)”.

3
4 **SEC. 21. REDUCING GREENHOUSE GASES AND BLACK CARBON THROUGH STATEWIDE AND**
5 **NONMETROPOLITAN TRANSPORTATION PLANNING UNDER SECTION 5304 OF TITLE 49.**

6
7 Section 5304(d) of title 49, United States Code, is amended –

8
9 (a) in paragraph (1) –

10
11 (1) by inserting “to the extent that its preservation contributes to the reduction of greenhouse gas
12 emissions and black carbon production” in subparagraph (H) after “existing transportation
13 system” and before “;”,

14
15 (2) by striking “and” at the end of subsection (H),

16
17 (3) by striking the period at the end of subsection (I) and inserting “; and”, and

18
19 (4) by adding at the end the following:

20
21 “(J) reduce the amount of greenhouse gases and black carbon produced by the transportation
22 system or by users of the transportation systems.”,

23
24 (b) by re-designating paragraphs (2) and (3) as paragraphs (3) and (4),

25
26 (c) by inserting before paragraph (3), as re-designated by subsection (b), the following:

27
28 “(2) PRIORITIZING THE REDUCTION OF GREENHOUSE GASES AND BLACK CARBON.—The
29 transportation planning process described in this section shall prioritize the reduction of the
30 amount of greenhouse gases and black carbon produced or emitted by the transportation system
31 or by users of the transportation system over other factors listed in paragraph (1).”,

32
33 (d) by inserting “; EXCEPTION FOR GREENHOUSE GAS AND BLACK CARBON FACTORS” after
34 “FACTORS” in the heading of paragraph (4), as re-designated by subsection (b), and

35
36 (e) by striking “in paragraphs (1) and (2)” in paragraph (4), as re-designated by subsection (b),
37 and inserting “in subparagraphs (A) through (I) of paragraph (1) or in paragraph (3)”.

38
39 **SEC. 22. REQUIRING CONSULTATION WITH AGENCIES RESPONSIBLE FOR REDUCING**
40 **GREENHOUSE GAS EMISSIONS AND BLACK CARBON PRODUCTION UNDER**
41 **SECTION 5304 OF TITLE 49.**

42
43 Section 5304(f)(2)(D)(i) of Title 23, United States Code, is amended by inserting “the reduction
44 of greenhouse gas emissions and black carbon production,” after “environmental protection,
45 conservation,” and before “and historic preservation”.

46
47 **SEC. 23. REQUIRING DISCUSSION OF GREENHOUSE GAS AND BLACK CARBON MITIGATION**
48 **ACTIVITIES UNDER SECTION 5304 OF TITLE 49.**

1
2 Section 5304(f) of title 23, United States Code, is amended –
3
4 (a) by inserting “and greenhouse gas and black carbon” after “potential environmental” and
5 before “mitigation activities” in subparagraph (4)(A); and
6
7 (b) by inserting “greenhouse gas emissions, black carbon production,” after “congestion,
8 pollution,” and before “and energy consumption” in paragraph (8)

9
10 **SEC. 24. REFLECTING CORRECT SECTION NUMBERS IN SECTION 5304 OF TITLE 49.**

11
12 Section 5304(f) of Title 49, United States Code, is amended –
13
14 (a) by striking “subsection (d)(2)” at the end of subparagraph (f)(7)(A) and inserting
15 “subsection (d)(3)”;
16
17 (b) by striking “subsection (d)(2)” in subparagraph (f)(7)(B) and inserting “subsection (d)
18 (3)”;
19
20 (c) by striking “subsection (d)(2)” in subparagraph (h)(1)(A) and inserting “subsection (d)
21 (3)”