

118TH CONGRESS
1ST SESSION

S. _____

To direct the Secretary of Transportation to carry out a grant program to support efforts to provide fare-free transit service, and for other purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To direct the Secretary of Transportation to carry out a grant program to support efforts to provide fare-free transit service, 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 “Freedom to Move Act”.

5 **SEC. 2. PURPOSE.**

6 The purposes of this Act are—

- 7 (1) to invest in the efforts of States, counties,
8 and local municipalities to provide fare-free public
9 transportation; and

1 (2) to support States, counties, and local mu-
2 nicipalities in improving and expanding access to
3 safe, accessible, and reliable mass transit systems in
4 order to improve the livability of communities.

5 **SEC. 3. GRANTS TO SUPPORT FARE-FREE TRANSIT.**

6 (a) DEFINITIONS.—In this section:

7 (1) ELIGIBLE ENTITY.—In this section, the
8 term “eligible entity” means—

9 (A) a State, a political subdivision of a
10 State, or an Indian Tribe;

11 (B) a transit agency;

12 (C) a private nonprofit organization en-
13 gaged in public transportation in a rural area;
14 or

15 (D) a partnership between 2 or more enti-
16 ties described in subparagraphs (A) through
17 (C).

18 (2) FOSTER CARE YOUTH.—The term “foster
19 care youth”—

20 (A) means children and youth whose care
21 and placement are the responsibility of the
22 State or Tribal agency that administers a State
23 or Tribal plan under part B or E of title IV of
24 the Social Security Act (42 U.S.C. 621 et seq.,
25 670 et seq.), without regard to whether foster

1 care maintenance payments are made under
2 section 472 of that Act (42 U.S.C. 672) on be-
3 half of such children and youth; and

4 (B) includes individuals who were age 13
5 or older when their care and placement were
6 the responsibility of a State or Tribal agency
7 that administered a State or Tribal plan under
8 part B or E of title IV of the Social Security
9 Act (42 U.S.C. 621 et seq., 670 et seq.) and
10 who are no longer under the care and responsi-
11 bility of such a State or Tribal agency, without
12 regard to any such individual's subsequent
13 adoption, guardianship arrangement, or other
14 form of permanency outcome.

15 (3) INDIAN TRIBE.—The term “Indian Tribe”
16 means an Indian tribe, as that term is used in chap-
17 ter 53 of title 49, United States Code.

18 (4) LOW-INCOME INDIVIDUAL.—The term “low-
19 income individual” means an individual whose family
20 income is at or below 150 percent of the poverty line
21 (as that term is defined in section 673(2) of the
22 Community Services Block Grant Act (42 U.S.C.
23 9902(2)), including any revision required by that
24 section) for a family of the size involved.

1 (5) MASS TRANSIT; PUBLIC TRANSIT; TRAN-
2 SIT.—The terms “mass transit”, “public transit”,
3 and “transit” mean public transportation.

4 (6) PUBLIC TRANSPORTATION.—The term
5 “public transportation”—

6 (A) means regular, continuing shared-ride
7 surface transportation services that are open to
8 the general public or open to a segment of the
9 general public defined by age, disability, or low
10 income; and

11 (B) does not include—

12 (i) intercity passenger rail transpor-
13 tation provided by the entity described in
14 chapter 243 of title 49, United States
15 Code (or a successor to that entity);

16 (ii) intercity bus service;

17 (iii) charter bus service;

18 (iv) school bus service;

19 (v) sightseeing service;

20 (vi) courtesy shuttle service for pa-
21 trons of 1 or more specific establishments;

22 or

23 (vii) intra-terminal or intra-facility
24 shuttle services.

1 (7) SECRETARY.—The term “Secretary” means
2 the Secretary of Transportation.

3 (8) STATE.—The term “State” has the mean-
4 ing given the term in section 5302 of title 49,
5 United States Code.

6 (9) UNDERSERVED COMMUNITY.—The term
7 “underserved community” means—

8 (A) a community that—

9 (i) is not served by any existing bus
10 route; or

11 (ii) receives infrequent bus service;

12 and

13 (B) a community located in an area within
14 a census tract that is identified as—

15 (i) a low-income community; and

16 (ii) a community of color.

17 (b) GRANTS AUTHORIZED.—Not later than 360 days
18 after the date of enactment of this Act, the Secretary shall
19 award grants (which shall be known as “Freedom to Move
20 Grants”) to eligible entities, on a competitive basis, to
21 cover the lost fare revenue for fare-free public transpor-
22 tation and improve public transportation.

23 (c) APPLICATION.—To be eligible to receive a grant
24 under this section, an eligible entity shall submit to the
25 Secretary an application at such time, in such manner,

1 and containing such information as the Secretary may re-
2 quire, including, at a minimum, the following:

3 (1) A description of how the eligible entity
4 plans to implement fare-free transit access.

5 (2) A description of how the eligible entity will
6 work to expand and improve bus service, which may
7 include—

8 (A) a bus network redesign;

9 (B) how the bus network redesign will
10 prioritize consistent and reliable service for low-
11 income and underserved communities;

12 (C) how the bus network redesign will
13 prioritize connectivity to critical services and
14 improve community livability; and

15 (D) how the eligible entity will meaning-
16 fully consult with members of the community,
17 community leaders, local stakeholders and advo-
18 cates (including transit advocates and disability
19 advocates), local education agencies and institu-
20 tions of higher education, community devel-
21 opers, labor unions, public housing agencies,
22 and workforce development boards, while facili-
23 tating the bus network redesign.

24 (3) A description of how the eligible entity will
25 meaningfully partner and collaborate with members

1 of the community, community leaders, local stake-
2 holders and advocates (including transit advocates
3 and disability advocates), local education agencies
4 and institutions of higher education, community de-
5 velopers, labor unions, public housing agencies and
6 workforce development boards to support outreach
7 efforts to increase awareness of fare-free transit pro-
8 grams, including fare-free bus programs.

9 (4) A description of the eligible entity's equity
10 evaluation examining any equity and mobility gaps
11 within each transit system operated by the eligible
12 entity or within the geographic area under the juris-
13 diction of the eligible entity, and how the eligible en-
14 tity plans to significantly close those gaps, includ-
15 ing—

16 (A) the average commute time for driver
17 commuters and non-driver commuters;

18 (B) public transit ridership rates
19 disaggregated by—

20 (i) mode of transportation; and

21 (ii) demographic group, including
22 youth (including foster care youth), sen-
23 iors, individuals with disabilities, and low-
24 income individuals; and

1 (C) average length of bus routes and aver-
2 age delay times.

3 (5) A description of the eligible entity's fare
4 evasion enforcement policies, including—

5 (A) the cost of the fine, if any, and wheth-
6 er the infraction is considered a civil offense or
7 a criminal offense punishable by imprisonment;

8 (B) the number of individuals charged with
9 violating a fare evasion policy, disaggregated by
10 age, race, gender, and disability status; and

11 (C) how the eligible entity plans to elimi-
12 nate fare evasion policies and end the criminal-
13 ization of individuals evading fares.

14 (6) An estimate of additional costs that the eli-
15 gible entity will incur as a result of increased rider-
16 ship, including—

17 (A) fuel costs;

18 (B) personnel costs;

19 (C) maintenance costs; and

20 (D) other operational costs.

21 (7) Information and statistics on assaults on
22 transit employees and a description of each training
23 or policy used or intended to be used to protect em-
24 ployees, which may include de-escalation training.

1 (d) DURATION.—A grant awarded under this section
2 shall be for a 5-year period.

3 (e) SELECTION OF ELIGIBLE ENTITIES.—In carrying
4 out the grant program under this section, the Secretary
5 shall award grants to eligible entities located in both rural
6 and urbanized areas.

7 (f) USES OF FUNDS.—An eligible entity that receives
8 a grant under this section shall use the grant to support—

9 (1) implementing a fare-free transit program;

10 and

11 (2) efforts to improve public transportation,
12 particularly in underserved communities, including
13 costs associated with efforts to provide more safe,
14 frequent, and reliable bus service, including—

15 (A) bus stop safety and accessibility im-
16 provements;

17 (B) pedestrian and bike shelters;

18 (C) signage;

19 (D) painted bus lanes;

20 (E) signal priority systems;

21 (F) street redesign;

22 (G) operational costs to meet demands of
23 increased ridership, including hiring and train-
24 ing of personnel; and

25 (H) conducting a bus network redesign.

1 (g) REPORT.—

2 (1) IN GENERAL.—Not later than 3 years after
3 the date on which funds are made available to carry
4 out this section, the Secretary shall—

5 (A) collect data from each eligible entity
6 receiving a grant under this section on the
7 progress of the entity in meeting the targets de-
8 scribed in the application of the entity; and

9 (B) publish and submit to Congress a re-
10 port containing the data collected under sub-
11 paragraph (A).

12 (2) REQUIREMENTS.—The report required
13 under paragraph (1) shall—

14 (A) include data on demographics of com-
15 munities served under this section,
16 disaggregated and cross-tabulated by—

17 (i) race;

18 (ii) ethnicity;

19 (iii) sex; and

20 (iv) household median income; and

21 (B) assess the progress of eligible entities
22 towards significantly closing transit equity and
23 mobility gaps as described in subsection (c)(4).

24 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to carry out this section

1 \$5,000,000,000 for each of fiscal years 2024 through
2 2028.