

TITLE 23—HIGHWAYS

This title was enacted by Pub. L. 85–767, §1, Aug. 27, 1958, 72 Stat. 885

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Editorial Notes

AMENDMENTS

2005—Pub. L. 109–59, title I, §1602(e)(2), title V, 5201(a)(1), Aug. 10, 2005, 119 Stat. 1248, 1780, added items for chapters 5 and 6 and struck out item for former chapter 5 “Research and Technology”.

1998—Pub. L. 105–178, title V, §5101(1), June 9, 1998, 112 Stat. 422, added item for chapter 5.

1966—Pub. L. 89–564, title I, §102(b)(3), Sept. 9, 1966, 80 Stat. 735, added item for chapter 4.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 23

<i>Title 23 Former Sections</i>	<i>Title 23 New Sections</i>
1	Rep.
2	101
2a	101(a)
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3	Rep.
3a	Rep.
3b	Rep.
4	Rep.
5	Rep.
6	103(b), (e), 105(c), 121(c)
6–1	103(c)
6a	103(d)
6a–1	105(d)
6a–2	310
6b	Rep.
6c	Rep.
7	110(a)
8	109(a)
8a	109(a), 112(a)
9	301
9a	129(a)
9a–1	Rep.
9b	129(a)
10	109(a)
10a	Rep.
10b	Rep.
10c	Rep.
11	Rep.
12	105(a), 106(a), (c), 121(d)
12a	121(c)
12b	Rep.
13	114(a)
13–1	112(b), (c)
13a	Rep.
13b	103(d)
14	121(a), (b), (e)
14a	Elim.
15	Rep.
16	Rep.
17	316
18	317(a)–(c)
19	315
20	Rep.
20a	Rep.
21	104(a), (b)(1)
21–1	307(a), (b)

¹ So in original. Does not conform to chapter heading.

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<i>Title 23 Former Sections</i>	<i>Title 23 New Sections</i>
21a	104(b), 105(a), 106(a), 114(a), 118(a), (c)
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21a–2	Elim.
21b	Rep.
21c	311
21d	Rep.
21e	122
22	104(e)
23	101(a), 202(b), 204(a)–(c), 205(a)–(c)
23a	Rep.
23b	Rep.
23b–1	Rep.
23c	205(c)
24	Rep.
24a	109(e)
25	Rep.
26	Rep.
41	101(a), 105(e)
41a	101(a), 103(b)
41b	101(a), 103(b)
42	Rep.
43	Rep.
44	Rep.
45	Elim.
46	See T. 18 §1020
47–53	Rep.
54	Elim.
54a	Rep.
54b	Elim.
55	126
55a	Rep.
55b	126(b)
56	Rep.
57	314
58	Elim.
59	Elim.
59a	Rep.
60	103(d)
61	307(c)
62	318
63	109(d)
64	320(a)
65	320(b)
66	320(c)
67	320(d)
68	320(e)
69	320(f)
70	313
71	303(a)
72	303 note
73	303(a)
101	Rep.
101a	Rep.
102	Rep.
103	Rep.
104	Rep.
105	Rep.
106	210(a), (b)
107	Rep.
108	Rep.
109	Rep.
110	Rep.
111	Rep.
112	Rep.
113	Rep.
114	210(e)
115	308(a)
116	Rep.
117	312
151(a)	104 note
151(b), (c)	104(c), 117(a)–(c), 118(b)
152	204(f), 205(d)
153	206(a), 207(a), 208(a), (b)
154	209(a)
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156	101(b), 103(f), 104(b)(1), 116(d), 119(a), (b), 120(h)

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FORMER TITLE 23—Continued

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157	103(d)
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158(c)	104(b)(4)
158(d)	104(b)(5)
158(d)	104 note
158(e)	120(c)
158(f), (g)	118(c)
158(h)	115
158(i)	109(b)
158(j)	127
158(k)	307 note
159	107
160	108
161	124
162	123
163	111
164	129(b)–(d)
165	Elim.
166	113
167	101(b), 128(a), (b), 304
168	Elim.
169 (less last proviso)	Rep.
169 (last proviso)	Elim.
170	305
171	306
172	Rep.
173	120 note
174	307 note
175	Elim.

Statutory Notes and Related Subsidiaries

CITATION

Pub. L. 85-767, §1, Aug. 27, 1958, 72 Stat. 885, provided in part that this title may be cited as “Title 23, United States Code, §—”.

REPEALS

Pub. L. 85-767, §2, Aug. 27, 1958, 72 Stat. 919, repealed the sections or parts of sections of the Revised Statutes or Statutes at Large covering provisions codified in this title.

CONSTRUCTION

Pub. L. 85-767, §3, Aug. 27, 1958, 72 Stat. 921, provided that:

“(a) If any provision of title 23, as enacted by section 1 of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the title and the application of the provision to other persons or circumstances shall not be affected thereby.

“(b) The provisions of this Act shall be subject to Reorganization Plan Numbered 5 of 1950 (64 Stat. 1263) [set out in the Appendix to Title 5, Government Organization and Employees].”

SAVINGS PROVISION

Pub. L. 85-767, §4, Aug. 27, 1958, 72 Stat. 921, provided that: “Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Acts or portions under section 2 of this Act.”

RECODIFICATION OF TITLE 23

Pub. L. 104-59, title III, §357(a), Nov. 28, 1995, 109 Stat. 625, provided that: “The Secretary [of Transportation] shall, by March 31, 1997, prepare and submit to Congress a draft legislative proposal of necessary technical and conforming amendments to title 23, United States Code, and related laws.”

Pub. L. 102-240, title I, §1066, Dec. 18, 1991, 105 Stat. 2006, provided that the Secretary of Transportation was to have prepared, by Oct. 1, 1993, a proposed recodification of title 23, United States Code, and related laws for submission to Congress for consideration, prior to repeal by Pub. L. 104-59, title III, §357(b), Nov. 28, 1995, 109 Stat. 625.

CHAPTER 1—FEDERAL-AID HIGHWAYS

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[105. Repealed.]
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107. Acquisition of rights-of-way—Interstate System.
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[110. Repealed.]
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[160. Repealed.]
161. Operation of motor vehicles by intoxicated minors.
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- Sec.
 163. Safety incentives to prevent operation of motor vehicles by intoxicated persons.
 164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.
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 172. Wildlife-vehicle collision reduction and habitat connectivity improvement.
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 177. Neighborhood access and equity grant program.
 178. Environmental review implementation funds.
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Editorial Notes

AMENDMENTS

2022—Pub. L. 117–169, title VI, §§60501(b), 60505(b), 60506(b), Aug. 16, 2022, 136 Stat. 2083, 2085, 2086, added items 177 to 179.

2021—Pub. L. 117–58, div. A, title I, §§1110(b), 11118(b), 11123(b)(2), 11123(c)(2), 11132(b), 11203(b), 11301(b), 11312(b), 11403(b), 11405(b), 11501(b), Nov. 15, 2021, 135 Stat. 475, 495, 502, 505, 514, 520, 530, 539, 558, 575, 578, added items 124, 157, and 171 to 176, substituted “Nationally significant multimodal freight and highway projects” for “Nationally significant freight and highway projects” in item 117 and “Efficient environmental reviews for project decisionmaking and One Federal Decision” for “Efficient environmental reviews for project decisionmaking” in item 139, and struck out item 105 “Additional deposits into Highway Trust Fund”.

2015—Pub. L. 114–94, div. A, title I, §§1105(b), 1109(c)(6)(A), 1116(b), 1403(b), 1413(b), Dec. 4, 2015, 129 Stat. 1337, 1344, 1356, 1409, 1418, substituted “Surface transportation block grant program” for “Surface transportation program” in item 133, “National highway freight program” for “National freight program” in item 167, and added items 105, 117, and 151.

Pub. L. 114–94, div. A, title I, §1446(d)(2)(B), Dec. 4, 2015, 129 Stat. 1438, amended section 1203(b) of Pub. L. 112–141, effective July 6, 2012, as if included in Pub. L. 112–141 as enacted. See 2012 Amendment note below.

2012—Pub. L. 112–141, div. A, title I, §§1104(c)(1), 1106(c), 1111(b), 1114(b)(1), 1115(b), 1202(b), 1203(b), 1310(b), 1311(b), 1509(b), 1515(b), 1519(c)(1)(A), July 6, 2012, 126 Stat. 427, 437, 450, 468, 472, 524, 526, 543, 545, 567, 574, 575, as amended by Pub. L. 114–94, div. A, title I, §1446(d)(2)(B), Dec. 4, 2015, 129 Stat. 1438, substituted “National Highway System” for “Federal-aid systems” in item 103, struck out items 105 “Equity bonus program”, 110 “Revenue aligned budget authority”, and 117 “High priority projects program”, substituted “National highway performance program” for “Interstate maintenance program” in item 119, struck out item 124 “Advances to States”, substituted “Transferability of Federal-aid highway funds” for “Uniform transferability of Federal-aid highway funds” in item 126, “Statewide and nonmetropolitan transportation planning” for “Statewide transportation planning” in item 135, and “National bridge and tunnel inventory and inspection standards” for “Highway bridge program” in

item 144, added item 150, struck out items 151 “National bridge inspection program”, 155 “Access highways to public recreation areas on certain lakes”, 157 “Safety incentive grants for use of seat belts”, and 160 “Reimbursement for segments of the Interstate System constructed without Federal assistance”, substituted “Territorial and Puerto Rico highway program” for “Puerto Rico highway program” in item 165, and added items 167 to 170.

2008—Pub. L. 110–244, title I, §101(m)(3)(C), June 6, 2008, 122 Stat. 1576, struck out “replacement and rehabilitation” after “Highway bridge” in item 144.

2005—Pub. L. 109–59, title I, §1801(b), title VI, §6002(c), Aug. 10, 2005, 119 Stat. 1456, 1865, which directed amendment of the analysis for “such subchapter” by adding items 139 and 147 and by striking out former item 147 “Priority primary routes”, was executed by making the amendment to the analysis for this chapter which did not contain subchapters to reflect the probable intent of Congress and the amendment by Pub. L. 109–59, §1602(e)(1). See below.

Pub. L. 109–59, title I, §1602(b)(6)(A), (e)(1), Aug. 10, 2005, 119 Stat. 1247, before item 101, struck out item for subchapter I “GENERAL PROVISIONS”, and at end, struck out item for subchapter II “INFRASTRUCTURE FINANCE”, items 181 “Definitions”, 182 “Determination of eligibility and project selection”, 183 “Secured loans”, 184 “Lines of credit”, 185 “Program administration”, 186 “State and local permits”, 187 “Regulations”, 188 “Funding”, and 189 “Report to Congress”, and subchapter I heading “GENERAL PROVISIONS”.

Pub. L. 109–59, title I, §§1104(b), 1120(b), 1121(b)(2), 1401(a)(2), 1601(i), title VI, §6001(c), Aug. 10, 2005, 119 Stat. 1165, 1192, 1196, 1225, 1243, 1857, added items 105, 134, 135, 148, 165, 166, and 185 and struck out former items 105 “Minimum guarantee”, 134 “Metropolitan planning”, 135 “Statewide planning”, 148 “Development of a national scenic and recreational highway”, and 185 “Project servicing”.

1999—Pub. L. 106–159, title I, §102(b), Dec. 9, 1999, 113 Stat. 1753, struck out item 110 “Uniform transferability of Federal-aid highway funds”, added item 126, and made technical amendment to item 163.

1998—Pub. L. 105–178, title I, §§1103(l)(5), 1226(d), 1405(b), 1406(b), as added by Pub. L. 105–206, title IX, §§9002(c)(1), 9003(a), 9005(a), July 22, 1998, 112 Stat. 834, 837, 843, struck out item 126 “Diversion” and item 150 “Allocation of urban system funds”, and added items 154 and 164.

Pub. L. 105–178, title I, §§1104(b), 1105(b), 1106(c)(2)(A), 1114(b)(1), 1203(n), 1219(b), 1301(d)(2), 1303(b), 1305(d), 1310(b), 1403(b), 1404(b), 1503(b), 1601(c), June 9, 1998, 112 Stat. 129, 131, 136, 154, 179, 221, 226, 227, 229, 235, 240, 241, 250, 256, added item for subchapter I, substituted “Minimum guarantee” for “Programs” in item 105, “Project approval and oversight” for “Plans, specifications, and estimates” in item 106, “Advance acquisition of real property” for “Advance acquisition of rights-of-way” in item 108, and “Revenue aligned budget authority” for “Project agreements” in item 110, added item 110 relating to uniform transferability of Federal-aid highway funds, substituted “High priority projects program” for “Certification acceptance” in item 117, made technical amendment to item 134, struck out item 139 “Additions to Interstate System”, substituted “Highway use tax evasion projects” for “Economic growth center development highways” in item 143, “Proceeds from the sale or lease of real property” for “Income from airspace rights-of-way” in item 156, and “Safety incentive grants for use of seat belts” for “Minimum allocation” in item 157, added items 162 and 163, item for subchapter II, and items 181 to 189, and added subchapter I heading before section 101.

1995—Pub. L. 104–59, title II, §205(d)(2), title III, §§311(c), 320(b), Nov. 28, 1995, 109 Stat. 577, 584, 590, substituted “Payments” for “Payment” and “and other debt instrument financing” for “retirement” in item 122, struck out item 154 “National maximum speed limit”, and added item 161.

1991—Pub. L. 102–240, title I, §§1007(a)(2), 1008(c), 1009(e)(2), 1014(b), 1016(f)(3), 1024(c)(1), 1025(b), 1031(a)(2),

Dec. 18, 1991, 105 Stat. 1930, 1933, 1934, 1942, 1946, 1962, 1965, 1973, substituted “Program efficiencies” for “Authorizations” in item 102, substituted “maintenance program” for “System resurfacing” in item 119, added item 133, substituted “Metropolitan planning” for “Transportation planning in certain urban areas” in item 134, substituted “Statewide planning” for “Traffic operations improvement programs” in item 135, substituted “Congestion mitigation and air quality improvement program” for “Truck lanes” in item 149, and added items 153 and 160.

Pub. L. 102-143, title III, §333(b), (c), Oct. 28, 1991, 105 Stat. 947, added item 159 and repealed Pub. L. 101-516, §333(b), which added former item 159. See 1990 Amendment note below.

1990—Pub. L. 101-516, title III, §333(b), Nov. 5, 1990, 104 Stat. 2186, which added item 159, was repealed by Pub. L. 102-143, title III, §333(c), Oct. 28, 1991, 105 Stat. 947. Section 333(d) of Pub. L. 102-143 provided that the amendments made by section 333 of Pub. L. 101-516 shall be treated as having not been enacted into law.

1987—Pub. L. 100-17, title I, §§113(d)(2), 114(e)(5), 125(b)(1), 126(b), 133(b)(1), Apr. 2, 1987, 101 Stat. 150, 153, 167, 171, substituted “Advance construction” for “Construction by States in advance of apportionment” in item 115, and “Availability of funds” for “Availability of sums apportioned” in item 118, struck out “and width” after “Vehicle weight” in item 127, substituted “Carpool and vanpool projects” for identical words in item 146, “National bridge inspection program” for “Pavement marking demonstration program” in item 151, and “Income from airspace rights-of-way” for “Highways crossing Federal projects” in item 156.

1984—Pub. L. 98-363, §6(b), July 17, 1984, 98 Stat. 437, added item 158.

1983—Pub. L. 97-424, title I, §119(c), Jan. 6, 1983, 96 Stat. 2111, substituted “Nondiscrimination” for “Equal employment opportunity” in item 140.

Pub. L. 97-424, title I, §150(b), Jan. 6, 1983, 96 Stat. 2132, added item 157.

1978—Pub. L. 95-599, §§116(c), 124(b), 168(c), Nov. 6, 1978, 92 Stat. 2699, 2705, 2723, substituted “Interstate System resurfacing” for “Repealed” in item 119, “Highway bridge replacement and rehabilitation program” for “Special bridge replacement program” in item 144, “Hazard elimination program” for “Projects for high-hazard locations” in item 152, and “Repealed” for “Program for the elimination of roadside obstacles” in item 153.

1976—Pub. L. 94-280, title I, §§123(b), 128(b), 132(b), 139, May 5, 1976, 90 Stat. 439-441, 443, substituted item 135 “Traffic operations improvement programs” for “Urban area traffic operations improvement programs”; substituted item 146 “Repealed” for “Special urban high density traffic programs”; added item 156 “Highways crossing Federal projects”; and substituted item 111 “Agreements relating to use of and access to rights-of-way—Interstate System” for “Use of and access to rights-of-way—Interstate System” and substituted items 119 and 133 “Repealed” for “Administration of Federal-aid for highways in Alaska” and “Relocation assistance”, respectively.

1975—Pub. L. 93-643, §§107(b), 114(b), 115(b), Jan. 4, 1975, 88 Stat. 2284, 2286, 2287, substituted item 141 reading “Enforcement of requirements” for prior text reading “Real property acquisition policies”, and added items 154 and 155.

1973—Pub. L. 93-87, title I, §§116(b), 121(b), 123(b), 125(b), 126(b), 129(c), 142(b), 157(b), title II, §§205(b), 209(b), 210(b), Aug. 13, 1973, 87 Stat. 258, 261, 263, 264, 266, 272, 278, 285, 287, 288, substituted “Certification acceptance” for “Secondary road responsibilities” in item 117, “Public transportation” for “Urban highway public transportation” in item 142, and added items 145 to 153.

1970—Pub. L. 91-605, title I, §§111(b), 127(b), 134(b), title II, §204(b), Dec. 31, 1970, 84 Stat. 1720, 1731, 1734, 1742, added items 142, 143, 144, and substituted “Fringe and corridor parking facilities” for “Limitation on authorization of appropriations for certain purposes” in item 137.

1968—Pub. L. 90-495, §§10(b), 12(b), 16(b), 22(b), 25(c), 35(b), Aug. 23, 1968, 82 Stat. 820, 822, 823, 827, 829, 836, added items 135, 139, 140, and 141 and substituted “Prevailing rate of wage” for “Prevailing rate of wage—Interstate System” in item 113 and “Construction by States in advance of apportionment” for “Construction by States in advance of apportionment—Interstate System” in item 115.

1966—Pub. L. 89-574, §§8(c)(2), 15(b), Sept. 13, 1966, 80 Stat. 769, 771, added items 137 and 138.

Pub. L. 89-564, title I, §102(b)(1), Sept. 9, 1966, 80 Stat. 734, struck out item 135 relating to highway safety programs.

1965—Pub. L. 89-285, title I, §102, title II, §202, Oct. 22, 1965, 79 Stat. 1030, 1032, substituted “Control of outdoor advertising” for “Areas adjacent to the Interstate System” in item 131, and added item 136.

Pub. L. 89-139, §4(b), Aug. 28, 1965, 79 Stat. 579, added item 135.

1962—Pub. L. 87-866, §§5(b), 9(b), Oct. 23, 1962, 76 Stat. 1147, 1148, added items 133 and 134.

1960—Pub. L. 86-657, §§4(b), 5(b), July 14, 1960, 74 Stat. 523, included ferries in item 129 and added item 132.

§ 101. Definitions and declaration of policy

(a) DEFINITIONS.—In this title, the following definitions apply:

(1) APPORTIONMENT.—The term “apportionment” includes unexpended apportionments made under prior authorization laws.

(2) ASSET MANAGEMENT.—The term “asset management” means a strategic and systematic process of operating, maintaining, and improving physical assets, with a focus on both engineering and economic analysis based upon quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair over the lifecycle of the assets at minimum practicable cost.

(3) CARPOOL PROJECT.—The term “carpool project” means any project to encourage the use of carpools and vanpools, including provision of carpooling opportunities to the elderly and individuals with disabilities, systems for locating potential riders and informing them of carpool opportunities, acquiring vehicles for carpool use, designating existing highway lanes as preferential carpool highway lanes, providing related traffic control devices, designating existing facilities for use for preferential parking for carpools, and real-time ridesharing projects, such as projects where drivers, using an electronic transfer of funds, recover costs directly associated with the trip provided through the use of location technology to quantify those direct costs, subject to the condition that the cost recovered does not exceed the cost of the trip provided.

(4) CONSTRUCTION.—The term “construction” means the supervising, inspecting, actual building, and incurrence of all costs incidental to the construction or reconstruction of a highway or any project eligible for assistance under this title, including bond costs and other costs relating to the issuance in accordance with section 122 of bonds or other debt financing instruments and costs incurred by the State in performing Federal-aid project related audits that directly benefit the Federal-aid highway program. Such term includes—

(A) preliminary engineering, engineering, and design-related services directly relating

to the construction of a highway project, including engineering, design, project development and management, construction project management and inspection, surveying, assessing resilience, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration), and architectural-related services;

(B) reconstruction, resurfacing, restoration, rehabilitation, and preservation;

(C) acquisition of rights-of-way;

(D) relocation assistance, acquisition of replacement housing sites, and acquisition and rehabilitation, relocation, and construction of replacement housing;

(E) elimination of hazards of railway-highway grade crossings;

(F) elimination of roadside hazards;

(G) improvements that directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas;

(H) improvements that reduce the number of wildlife-vehicle collisions, such as wildlife crossing structures; and

(I) capital improvements that directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits, scale installation, and scale houses.

(5) **COUNTY.**—The term “county” includes corresponding units of government under any other name in States that do not have county organizations and, in those States in which the county government does not have jurisdiction over highways, any local government unit vested with jurisdiction over local highways.

(6) **FEDERAL-AID HIGHWAY.**—The term “Federal-aid highway” means a public highway eligible for assistance under this chapter other than a highway functionally classified as a local road or rural minor collector.

(7) **FEDERAL LANDS ACCESS TRANSPORTATION FACILITY.**—The term “Federal Lands access transportation facility” means a public highway, road, bridge, trail, or transit system that is located on, is adjacent to, or provides access to Federal lands for which title or maintenance responsibility is vested in a State, county, town, township, tribal, municipal, or local government.

(8) **FEDERAL LANDS TRANSPORTATION FACILITY.**—The term “Federal lands transportation facility” means a public highway, road, bridge, trail, or transit system that is located on, is adjacent to, or provides access to Federal lands for which title and maintenance responsibility is vested in the Federal Government, and that appears on the national Federal lands transportation facility inventory described in section 203(c).

(9) **FOREST DEVELOPMENT ROADS AND TRAILS.**—The term “forest development roads and trails” means forest roads and trails under the jurisdiction of the Forest Service.

(10) **FOREST ROAD OR TRAIL.**—The term “forest road or trail” means a road or trail wholly

or partly within, or adjacent to, and serving the National Forest System that is necessary for the protection, administration, and utilization of the National Forest System and the use and development of its resources.

(11) **HIGHWAY.**—The term “highway” includes—

(A) a road, street, and parkway;

(B) a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and

(C) a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department, including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of an international bridge or tunnel.

(12) **INTERSTATE SYSTEM.**—The term “Interstate System” means the Dwight D. Eisenhower National System of Interstate and Defense Highways described in section 103(c).

(13) **MAINTENANCE.**—The term “maintenance” means the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for safe and efficient utilization of the highway.

(14) **MAINTENANCE AREA.**—The term “maintenance area” means an area that was designated as an air quality nonattainment area, but was later redesignated by the Administrator of the Environmental Protection Agency as an air quality attainment area, under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)).

(15) **NATIONAL HIGHWAY FREIGHT NETWORK.**—The term “National Highway Freight Network” means the National Highway Freight Network established under section 167.

(16) **NATIONAL HIGHWAY SYSTEM.**—The term “National Highway System” means the Federal-aid highway system described in section 103(b).

(17) **NATURAL INFRASTRUCTURE.**—The term “natural infrastructure” means infrastructure that uses, restores, or emulates natural ecological processes and—

(A) is created through the action of natural physical, geological, biological, and chemical processes over time;

(B) is created by human design, engineering, and construction to emulate or act in concert with natural processes; or

(C) involves the use of plants, soils, and other natural features, including through the creation, restoration, or preservation of vegetated areas using materials appropriate to the region to manage stormwater and runoff, to attenuate flooding and storm surges, and for other related purposes.

(18) **OPERATING COSTS FOR TRAFFIC MONITORING, MANAGEMENT, AND CONTROL.**—The term “operating costs for traffic monitoring, management, and control” includes labor costs, administrative costs, costs of utilities and rent, and other costs associated with the con-

tinuous operation of traffic control, such as integrated traffic control systems, incident management programs, and traffic control centers.

(19) OPERATIONAL IMPROVEMENT.—The term “operational improvement”—

(A) means (i) a capital improvement for installation of traffic surveillance and control equipment, computerized signal systems, motorist information systems, integrated traffic control systems, incident management programs, and transportation demand management facilities, strategies, and programs, and (ii) such other capital improvements to public roads as the Secretary may designate, by regulation; and

(B) does not include resurfacing, restoring, or rehabilitating improvements, construction of additional lanes, interchanges, and grade separations, and construction of a new facility on a new location.

(20) PROJECT.—The term “project” means any undertaking eligible for assistance under this title.

(21) PROJECT AGREEMENT.—The term “project agreement” means the formal instrument to be executed by the Secretary and the recipient as required by section 106.

(22) PUBLIC AUTHORITY.—The term “public authority” means a Federal, State, county, town, or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free facilities.

(23) PUBLIC ROAD.—The term “public road” means any road or street under the jurisdiction of and maintained by a public authority and open to public travel.

(24) RESILIENCE.—The term “resilience”, with respect to a project, means a project with the ability to anticipate, prepare for, or adapt to conditions or withstand, respond to, or recover rapidly from disruptions, including the ability—

(A)(i) to resist hazards or withstand impacts from weather events and natural disasters; or

(ii) to reduce the magnitude or duration of impacts of a disruptive weather event or natural disaster on a project; and

(B) to have the absorptive capacity, adaptive capacity, and recoverability to decrease project vulnerability to weather events or other natural disasters.

(25) RURAL AREAS.—The term “rural areas” means all areas of a State not included in urban areas.

(26) SAFETY IMPROVEMENT PROJECT.—The term “safety improvement project” means a strategy, activity, or project on a public road that is consistent with the State strategic highway safety plan and corrects or improves a roadway feature that constitutes a hazard to road users or addresses a highway safety problem.

(27) SECRETARY.—The term “Secretary” means Secretary of Transportation.

(28) STATE.—The term “State” means any of the 50 States, the District of Columbia, or Puerto Rico.

(29) STATE FUNDS.—The term “State funds” includes funds raised under the authority of the State or any political or other subdivision thereof, and made available for expenditure under the direct control of the State transportation department.

(30) STATE STRATEGIC HIGHWAY SAFETY PLAN.—The term “State strategic highway safety plan” has the same meaning given such term in section 148(a).

(31) STATE TRANSPORTATION DEPARTMENT.—The term “State transportation department” means that department, commission, board, or official of any State charged by its laws with the responsibility for highway construction.

(32) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—The term “transportation systems management and operations” means integrated strategies to optimize the performance of existing infrastructure through—

(i) the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system; and

(ii) the consideration of incorporating natural infrastructure.

(B) INCLUSIONS.—The term “transportation systems management and operations” includes—

(i) actions such as traffic detection and surveillance, corridor management, freeway management, arterial management, active transportation and demand management, work zone management, emergency management, traveler information services, congestion pricing, parking management, automated enforcement, traffic control, commercial vehicle operations, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations; and

(ii) coordination of the implementation of regional transportation system management and operations investments (such as traffic incident management, traveler information services, emergency management, roadway weather management, intelligent transportation systems, communication networks, and information sharing systems) requiring agreements, integration, and interoperability to achieve targeted system performance, reliability, safety, and customer service levels.

(33) TRIBAL TRANSPORTATION FACILITY.—The term “tribal transportation facility” means a public highway, road, bridge, trail, or transit system that is located on or provides access to tribal land and appears on the national tribal transportation facility inventory described in section 202(b)(1).

(34) TRUCK STOP ELECTRIFICATION SYSTEM.—The term “truck stop electrification system” means a system that delivers heat, air conditioning, electricity, or communications to a heavy-duty vehicle.

(35) URBAN AREA.—The term “urban area” means an urbanized area or, in the case of an

urbanized area encompassing more than one State, that part of the urbanized area in each such State, or urban place as designated by the Bureau of the Census having a population of 5,000 or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall encompass, at a minimum, the entire urban place designated by the Bureau of the Census, except in the case of cities in the State of Maine and in the State of New Hampshire.

(36) URBANIZED AREA.—The term “urbanized area” means an area with a population of 50,000 or more designated by the Bureau of the Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall encompass, at a minimum, the entire urbanized area within a State as designated by the Bureau of the Census.

(b) DECLARATION OF POLICY.—

(1) ACCELERATION OF CONSTRUCTION OF FEDERAL-AID HIGHWAY SYSTEMS.—Congress declares that it is in the national interest to accelerate the construction of Federal-aid highway systems, including the Dwight D. Eisenhower National System of Interstate and Defense Highways, because many of the highways (or portions of the highways) are inadequate to meet the needs of local and interstate commerce for the national and civil defense.

(2) COMPLETION OF INTERSTATE SYSTEM.—Congress declares that the prompt and early completion of the Dwight D. Eisenhower National System of Interstate and Defense Highways (referred to in this section as the “Interstate System”), so named because of its primary importance to the national defense, is essential to the national interest. It is the intent of Congress that the Interstate System be completed as nearly as practicable over the period of availability of the forty years’ appropriations authorized for the purpose of expediting its construction, reconstruction, or improvement, inclusive of necessary tunnels and bridges, through the fiscal year ending September 30, 1996, under section 108(b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374), and that the entire system in all States be brought to simultaneous completion. Insofar as possible in consonance with this objective, existing highways located on an interstate route shall be used to the extent that such use is practicable, suitable, and feasible, it being the intent that local needs, to the extent practicable, suitable, and feasible, shall be given equal consideration with the needs of interstate commerce.

(3) TRANSPORTATION NEEDS OF 21ST CENTURY.—Congress declares that—

(A) it is in the national interest to preserve and enhance the surface transportation system to meet the needs of the United States for the 21st Century;

(B) the current urban and long distance personal travel and freight movement demands have surpassed the original forecasts and travel demand patterns are expected to continue to change;

(C) continued planning for and investment in surface transportation is critical to ensure the surface transportation system adequately meets the changing travel demands of the future;

(D) among the foremost needs that the surface transportation system must meet to provide for a strong and vigorous national economy are safe, efficient, resilient, and reliable—

(i) national and interregional personal mobility (including personal mobility in rural and urban areas) and reduced congestion;

(ii) flow of interstate and international commerce and freight transportation; and

(iii) travel movements essential for national security;

(E) special emphasis should be devoted to providing safe and efficient access for the type and size of commercial and military vehicles that access designated National Highway System intermodal freight terminals;

(F) the connection between land use and infrastructure is significant;

(G) transportation should play a significant role in promoting economic growth, improving the environment, and sustaining the quality of life; and

(H) the Secretary should take appropriate actions to preserve and enhance the Interstate System to meet the needs of the 21st Century.

(4) EXPEDITED PROJECT DELIVERY.—

(A) IN GENERAL.—Congress declares that it is in the national interest to expedite the delivery of surface transportation projects by substantially reducing the average length of the environmental review process.

(B) POLICY OF THE UNITED STATES.—Accordingly, it is the policy of the United States that—

(i) the Secretary shall have the lead role among Federal agencies in carrying out the environmental review process for surface transportation projects;

(ii) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for surface transportation projects;

(iii) project sponsors shall not be prohibited from carrying out preconstruction project development activities concurrently with the environmental review process;

(iv) programmatic approaches shall be used to reduce the need for project-by-project reviews and decisions by Federal agencies; and

(v) the Secretary shall identify opportunities for project sponsors to assume responsibilities of the Secretary where such responsibilities can be assumed in a manner that protects public health, the environment, and public participation.

(c) It is the sense of Congress that under existing law no part of any sums authorized to be appropriated for expenditure upon any Federal-aid highway which has been apportioned pursuant to the provisions of this title shall be impounded

or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee in the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the Highway Trust Fund to defray the expenditures which will be required to be made from such fund.

(d) No funds authorized to be appropriated from the Highway Trust Fund shall be expended by or on behalf of any Federal department, agency, or instrumentality other than the Federal Highway Administration unless funds for such expenditure are identified and included as a line item in an appropriation Act and are to meet obligations of the United States heretofore or hereafter incurred under this title attributable to the construction of Federal-aid highways or highway planning, research, or development, or as otherwise specifically authorized to be appropriated from the Highway Trust Fund by Federal-aid highway legislation.

(e) It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the substantial minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 885; Pub. L. 86-70, §21(e)(1), June 25, 1959, 73 Stat. 146; Pub. L. 86-624, §17(a), July 12, 1960, 74 Stat. 415; Pub. L. 87-866, §6(a), Oct. 23, 1962, 76 Stat. 1147; Pub. L. 88-423, §3, Aug. 13, 1964, 78 Stat. 397; Pub. L. 89-574, §4(a), Sept. 13, 1966, 80 Stat. 767; Pub. L. 90-495, §§4(a), 8, 15, Aug. 23, 1968, 82 Stat. 816, 819, 822; Pub. L. 91-605, title I, §§104(a), 106(a), 107, 117(d), 130, 141, Dec. 31, 1970, 84 Stat. 1714, 1716, 1718, 1724, 1732, 1737; Pub. L. 93-87, title I, §§105, 106(a), 107, 108, 152(1), Aug. 13, 1973, 87 Stat. 253-255, 276; Pub. L. 93-643, §102(b), Jan. 4, 1975, 88 Stat. 2281; Pub. L. 94-280, title I, §§107(a), 108, May 5, 1976, 90 Stat. 430, 431; Pub. L. 95-599, title I, §106, Nov. 6, 1978, 92 Stat. 2693; Pub. L. 97-424, title I, §§126(c), 159, Jan. 6, 1983, 96 Stat. 2115, 2135; Pub. L. 100-17, title I, §§102(b)(3), 108, 109, 133(b)(2), (3), Apr. 2, 1987, 101 Stat. 135, 146, 171; Pub. L. 101-427, Oct. 15, 1990, 104 Stat. 927; Pub. L. 102-240, title I, §§1001(g), 1005, 1006(g)(1), 1007(c), Dec. 18, 1991, 105 Stat. 1916, 1922, 1927, 1931; Pub. L. 104-59, title III, §§301(b), 311(b), Nov. 28, 1995, 109 Stat. 578, 583; Pub. L. 105-178, title I, §1201, June 9, 1998, 112 Stat. 164; Pub. L. 109-59, title I, §§1122, 1909(a), Aug. 10, 2005, 119 Stat. 1196, 1470; Pub. L. 110-244, title I, §101(h), June 6, 2008, 122 Stat. 1574; Pub. L. 112-141, div. A, title I, §§1103, 1301(c), 1501, July 6, 2012, 126 Stat. 419, 528, 560; Pub. L. 114-94, div. A, title I, §1103, Dec. 4, 2015, 129 Stat. 1328; Pub. L. 117-58, div. A, title I, §§1103, 11123(a), 11525(a), Nov. 15, 2021, 135 Stat. 453, 499, 607.)

Editorial Notes

REFERENCES IN TEXT

Section 108(b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374), referred to in subsec. (b)(2), is section 108(b) of act June 29, 1956, ch. 462, 70 Stat. 378, which is set out below.

AMENDMENTS

2021—Subsec. (a)(4)(A). Pub. L. 117-58, §11103(1)(A), inserted “assessing resilience,” after “surveying.”

Subsec. (a)(4)(H), (I). Pub. L. 117-58, §11103(1)(B)-(D), added subpar. (H) and redesignated former subpar. (H) as (I).

Subsec. (a)(17). Pub. L. 117-58, §11103(3), added par. (17). Former par. (17) redesignated (18).

Subsec. (a)(18) to (23). Pub. L. 117-58, §11103(2), redesignated pars. (17) to (22) as (18) to (23), respectively. Former par. (23) redesignated (25).

Subsec. (a)(24). Pub. L. 117-58, §11103(4), added par. (24). Former par. (24) redesignated (26).

Subsec. (a)(25) to (32). Pub. L. 117-58, §11103(2), redesignated pars. (23) to (30) as (25) to (32), respectively. Former par. (32) redesignated (34).

Subsec. (a)(32)(A). Pub. L. 117-58, §11103(5), inserted dash after “through” and cl. (i) designation before “the implementation”, substituted “; and” for period at end of cl. (i), and added cl. (ii).

Subsec. (a)(33) to (36). Pub. L. 117-58, §11103(2), redesignated pars. (31) to (34) as (33) to (36), respectively.

Subsec. (b)(1). Pub. L. 117-58, §11525(a), inserted “Highways” after “Defense”.

Subsec. (b)(3)(D). Pub. L. 117-58, §11123(a), inserted “resilient,” after “efficient,” in introductory provisions.

2015—Subsec. (a)(15) to (29). Pub. L. 114-94 added par. (15), redesignated pars. (15) to (28) as (16) to (29), respectively, and struck out former par. (29) which defined transportation alternatives.

2012—Subsec. (a)(2). Pub. L. 112-141, §1103(a)(3), added par. (2). Former par. (2) redesignated (3).

Subsec. (a)(3). Pub. L. 112-141, §§1103(a)(2), 1501, redesignated par. (2) as (3) and substituted “designating existing facilities for use for preferential parking for carpools, and real-time ridesharing projects, such as projects where drivers, using an electronic transfer of funds, recover costs directly associated with the trip provided through the use of location technology to quantify those direct costs, subject to the condition that the cost recovered does not exceed the cost of the trip provided” for “and designating existing facilities for use for preferential parking for carpools”. Former par. (3) redesignated (4).

Subsec. (a)(4). Pub. L. 112-141, §1103(a)(2), (4)(A), redesignated par. (3) as (4) and inserted “or any project eligible for assistance under this title” after “reconstruction of a highway” in introductory provisions. Former par. (4) redesignated (5).

Subsec. (a)(4)(A). Pub. L. 112-141, §1103(a)(4)(B), added subpar. (A) and struck out former subpar. (A) which read as follows: “locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the National Oceanic and Atmospheric Administration of the Department of Commerce);”.

Subsec. (a)(4)(B). Pub. L. 112-141, §1103(a)(4)(C), inserted “reconstruction,” before “resurfacing,” and substituted “rehabilitation, and preservation” for “and rehabilitation”.

Subsec. (a)(4)(E). Pub. L. 112-141, §1103(a)(4)(D), substituted “railway-highway” for “railway”.

Subsec. (a)(4)(F). Pub. L. 112-141, §1103(a)(4)(E), substituted “hazards” for “obstacles”.

Subsec. (a)(5). Pub. L. 112-141, §1103(a)(2), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Subsec. (a)(6). Pub. L. 112-141, §1103(a)(2), (5), redesignated par. (5) as (6) and inserted “public” before “highway eligible” and “functionally” before “classified”.

Pub. L. 112-141, §1103(a)(1), struck out par. (6). Text read as follows: “The term ‘Federal-aid system’ means

any of the Federal-aid highway systems described in section 103.”

Subsec. (a)(7). Pub. L. 112-141, §1103(a)(1), (6), added par. (7) and struck out former par. (7). Prior to amendment, text read as follows: “The term ‘Federal lands highway’ means a forest highway, public lands highway, park road, parkway, refuge road, and Indian reservation road that is a public road.”

Subsec. (a)(8). Pub. L. 112-141, §1103(a)(6), added par. (8). Former par. (8) redesignated (9).

Subsec. (a)(9). Pub. L. 112-141, §1103(a)(1), (2), redesignated par. (8) as (9) and struck out former par. (9). Prior to amendment, text of par. (9) read as follows: “The term ‘forest highway’ means a forest road under the jurisdiction of, and maintained by, a public authority and open to public travel.”

Subsec. (a)(11)(B). Pub. L. 112-141, §1103(a)(7), inserted “including public roads on dams” after “drainage structure”.

Subsec. (a)(12). Pub. L. 112-141, §1103(a)(1), (2), redesignated par. (13) as (12) and struck out former par. (12) which defined Indian reservation road.

Subsec. (a)(13). Pub. L. 112-141, §1103(a)(2), redesignated par. (14) as (13). Former par. (13) redesignated (12).

Subsec. (a)(14). Pub. L. 112-141, §1103(a)(2), (8), redesignated par. (15) as (14), substituted “as an air quality” for “as a”, and inserted “air quality” before “attainment area”. Former par. (14) redesignated (13).

Subsec. (a)(15) to (17). Pub. L. 112-141, §1103(a)(2), redesignated pars. (16) to (18) as (15) to (17), respectively. Former par. (15) redesignated (14).

Subsec. (a)(18). Pub. L. 112-141, §1103(a)(2), (9), redesignated par. (21) as (18) and substituted “any undertaking” for “an undertaking to construct a particular portion of a highway, or if the context so implies, the particular portion of a highway so constructed or any other undertaking”. Former par. (18) redesignated (17).

Subsec. (a)(19). Pub. L. 112-141, §1103(a)(2), (10), redesignated par. (22) as (19) and substituted “the Secretary and the recipient” for “the State transportation department and the Secretary”.

Pub. L. 112-141, §1103(a)(1), struck out par. (19). Text read as follows: “The term ‘park road’ means a public road, including a bridge built primarily for pedestrian use, but with capacity for use by emergency vehicles, that is located within, or provides access to, an area in the National Park System with title and maintenance responsibilities vested in the United States.”

Subsec. (a)(20). Pub. L. 112-141, §1103(a)(1), (2), redesignated par. (23) as (20) and struck out former par. (20). Prior to amendment, text of par. (20) read as follows: “The term ‘parkway’, as used in chapter 2 of this title, means a parkway authorized by Act of Congress on lands to which title is vested in the United States.”

Subsec. (a)(21). Pub. L. 112-141, §1103(a)(2), redesignated par. (27) as (21). Former par. (21) redesignated (18).

Subsec. (a)(22). Pub. L. 112-141, §1103(a)(2), redesignated par. (29) as (22). Former par. (22) redesignated (19).

Subsec. (a)(23). Pub. L. 112-141, §1103(a)(11), added par. (23) and struck out former par. (23). Prior to amendment, text read as follows: “The term ‘safety improvement project’ means a project that corrects or improves high hazard locations, eliminates roadside obstacles, improves highway signing and pavement marking, installs priority control systems for emergency vehicles at signalized intersections, installs or replaces emergency motorist aid call boxes, or installs traffic control or warning devices at locations with high accident potential.”

Pub. L. 112-141, §1103(a)(2), redesignated par. (30) as (23). Former par. (23) redesignated (20).

Subsec. (a)(24). Pub. L. 112-141, §1103(a)(1), (2), redesignated par. (31) as (24) and struck out former par. (24). Prior to amendment, text of par. (24) read as follows: “The term ‘public lands development roads and trails’ means those roads and trails that the Secretary of the Interior determines are of primary importance for the

development, protection, administration, and utilization of public lands and resources under the control of the Secretary of the Interior.”

Subsec. (a)(25), (26). Pub. L. 112-141, §1103(a)(1), (2), redesignated pars. (32) and (33) as (25) and (26), respectively, and struck out former pars. (25) and (26) which defined public lands highway and public lands highways, respectively.

Subsec. (a)(27). Pub. L. 112-141, §1103(a)(12), added par. (27). Former par. (27) redesignated (21).

Subsec. (a)(28). Pub. L. 112-141, §1103(a)(1), (2), redesignated par. (34) as (28) and struck out former par. (28). Prior to amendment, text of par. (28) read as follows: “The term ‘refuge road’ means a public road that provides access to or within a unit of the National Wildlife Refuge System and for which title and maintenance responsibility is vested in the United States Government.”

Subsec. (a)(29). Pub. L. 112-141, §1103(a)(13), added par. (29) and struck out former par. (29) which defined transportation enhancement activity.

Pub. L. 112-141, §1103(a)(2), redesignated par. (35) as (29). Former par. (29) redesignated (22).

Subsec. (a)(30) to (32). Pub. L. 112-141, §1103(a)(2), (14), added pars. (30) to (32) and redesignated former pars. (30) to (32) as (23) to (25), respectively.

Subsec. (a)(33) to (37). Pub. L. 112-141, §1103(a)(2), redesignated pars. (33) to (37) as (26), (28), (29), (33), and (34), respectively.

Subsec. (a)(38), (39). Pub. L. 112-141, §1103(a)(1), struck out pars. (38) and (39) which defined advanced truck stop electrification system and transportation systems management and operations, respectively.

Subsec. (b)(4). Pub. L. 112-141, §1301(c), added par. (4).

Subsec. (c). Pub. L. 112-141, §1103(b), substituted “Federal-aid highway” for “Federal-aid system”.

2008—Subsec. (a)(39). Pub. L. 110-244 added par. (39).

2005—Subsec. (a)(35). Pub. L. 109-59, §1122(a), amended heading and text of par. (35) generally, substituting introductory provisions and subpars. (A) to (L) defining “Transportation enhancement activity” for substantially identical undesignated provisions defining “Transportation enhancement activities”.

Subsec. (a)(38). Pub. L. 109-59, §1122(b), added par. (38).

Subsec. (b). Pub. L. 109-59, §1909(a), inserted subsec. heading, substituted heading and text of par. (1) for first undesignated par. relating to declaration that it was in the national interest to accelerate the construction of the Federal-aid highway systems, designated second undesignated par. as par. (2), inserted heading, and substituted “Congress declares that the prompt and early completion of the Dwight D. Eisenhower National System of Interstate and Defense Highways (referred to in this section as the ‘Interstate System’), so named because of its primary importance to the national defense, is essential to the national interest” for “It is hereby declared that the prompt and early completion of The Dwight D. Eisenhower System of Interstate and Defense Highways, so named because of its primary importance to the national defense and hereafter referred to as the ‘Interstate System’, is essential to the national interest and is one of the most important objectives of this Act”, and substituted heading and text of par. (3) for third undesignated par. relating to the national policy that increased emphasis be placed on the construction and reconstruction of the other Federal-aid systems.

1998—Subsec. (a). Pub. L. 105-178 inserted heading and amended text of subsec. (a) generally, alphabetizing, numbering, and inserting headings for terms defined, inserting definitions of “maintenance area” and “refuge road”, and substituting definition of “State transportation department” for definition of “State highway department”.

1995—Subsec. (a). Pub. L. 104-59, §311(b), in first sentence of definition of “construction”, inserted “bond costs and other costs relating to the issuance in accordance with section 122 of bonds or other debt financing instruments,” after “highway, including”.

Pub. L. 104-59, §301(b)(1), in definition of “project”, inserted before period at end “or any other undertaking eligible for assistance under this title”.

Pub. L. 104-59, §301(b)(2), added provision defining “operating costs for traffic monitoring, management, and control” and struck out former provision defining “startup costs for traffic management and control” which read as follows: “The term ‘startup costs for traffic management and control’ means initial costs (including labor costs, administration costs, cost of utilities, and rent) for integrated traffic control systems, incident management programs, and traffic control centers.”

1991—Subsec. (a). Pub. L. 102-240, §1006(g)(1), added provision defining “Federal-aid highways” and struck out former provision which read as follows: “The term ‘Federal-aid highways’ means highways located on one of the Federal-aid systems described in section 103 of this title.”

Pub. L. 102-240, §1005(a), in definition of “highway safety improvement project”, inserted “installs priority control systems for emergency vehicles at signalized intersections” after “marking.”.

Pub. L. 102-240, §1005(d)(3), in definition of “Indian reservation roads”, struck out “, including roads on the Federal-aid systems,” after “public roads”.

Pub. L. 102-240, §1005(d)(4), in definition of “park road”, inserted “, including a bridge built primarily for pedestrian use, but with capacity for use by emergency vehicles” before “that is located”.

Pub. L. 102-240, §1005(b), inserted provision defining “urbanized area” and struck out former provision which read as follows: “The term ‘urbanized area’ means an area so designated by the Bureau of the Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urbanized area within a State as designated by the Bureau of the Census.”

Pub. L. 102-240, §1005(c), inserted provision defining “National Highway System” and struck out former provision defining “Federal-aid primary system” which read as follows: “The term ‘Federal-aid primary system’ means the Federal-aid highway system described in subsection (b) of section 103 of this title.”

Pub. L. 102-240, §1005(d)(1), (2), struck out provisions defining “Federal-aid secondary system” and “Federal-aid urban system” which read as follows:

“The term ‘Federal-aid secondary system’ means the Federal-aid highway system described in subsection (c) of section 103 of this title.

“The term ‘Federal-aid urban system’ means the Federal-aid highway system described in subsection (d) of section 103 of this title.”

Pub. L. 102-240, §1005(e), in definition of “Interstate System”, inserted “Dwight D. Eisenhower” before “National”.

Pub. L. 102-240, §1005(g), inserted provisions defining “start-up costs for traffic management and control”, “carpool project”, “public authority” and “public lands highway”.

Pub. L. 102-240, §1005(f), inserted provision defining “operational improvement”.

Pub. L. 102-240, §1007(c), inserted provision defining “transportation enhancement activities”.

Subsec. (b). Pub. L. 102-240, §1001(g), substituted “forty” for “thirty-seven” and “1996” for “1993” in second par.

1990—Subsec. (b). Pub. L. 101-427 substituted “The Dwight D. Eisenhower System of Interstate and Defense Highways” for “the National System of Interstate and Defense Highways” in first two pars.

1987—Subsec. (a). Pub. L. 100-17, §108, in definition of “construction”, inserted “elimination of roadside obstacles,” after “grade crossings.”.

Pub. L. 100-17, §133(b)(2), substituted definition of “forest road or trail” for “forest or trail”.

Pub. L. 100-17, §109, in definition of “highway safety improvement project”, inserted “installs or replaces emergency motorist-aid call boxes,” after “pavement marking.”.

Pub. L. 100-17, §133(b)(3), amended definition of “park road” generally. Prior to amendment, definition read

as follows: “The term ‘park road’ means a public road that is located within or provides access to an area in the national park system.”

Subsec. (b). Pub. L. 100-17, §102(b)(3), substituted “thirty-seven years” for “thirty-four years” and “1993” for “1990” in second par.

1983—Subsec. (a). Pub. L. 97-424, §126(c)(1), substituted provision that “park road” means a public road that is located within or provides access to an area in the national park system, for provision that “park roads and trails” means those roads or trails, including the necessary bridges, located in national parks or monuments, now or hereafter established, or in other areas administered by the National Park Service of the Department of the Interior (excluding parkways authorized by Acts of Congress) and also including approach roads to national parks or monuments authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended.

Pub. L. 97-424, §126(c)(2), substituted “The term ‘Indian reservation roads’ means public roads, including roads” for “The term ‘Indian reservation roads and bridges’ means roads and bridges, including roads and bridges” before “on the Federal-aid systems”.

Pub. L. 97-424, §126(c)(3), inserted provision defining “Federal lands highways”.

Pub. L. 97-424, §159, in definition of “construction”, inserted provision that it also includes costs incurred by the State in performing Federal-aid project related audits which directly benefit the Federal-aid highway program.

1978—Subsec. (a). Pub. L. 95-599, §106(a), in definition of “construction” inserted provision relating to capital improvements.

Pub. L. 95-599, §106(b)(1), in definition of “forest road or trail”, inserted provisions requiring contingency or service to the National Forest System and necessity for the protection, administration, and utilization thereof.

Pub. L. 95-599, §106(b)(2), defined “forest development roads or trails” in terms of a forest road or trail under the jurisdiction of the Forest Service rather than in terms of a forest road or trail of primary importance for the protection, administration, and utilization of the national forest or other areas under the jurisdiction of the Forest Service.

Pub. L. 95-599, §106(b)(3), defined “forest highway” in terms of a forest road under the jurisdiction of, and maintained by, a public authority and open to public travel rather than in terms of a forest road which is of primary importance to the States, counties, or communities contingent to national forests and which is a Federal-aid system.

Pub. L. 95-599, §106(b)(4), inserted definition of “highway safety improvement project”.

1976—Subsec. (a). Pub. L. 94-280, §108, defined “construction” to include resurfacing, restoration, and rehabilitation and “urban area” to exclude cities in the States of Maine and New Hampshire and inserted definition of “public road”.

Subsec. (b). Pub. L. 94-280, §107(a), substituted provision for completion of the Interstate System over a thirty-four year period, through the fiscal year ending September 30, 1990, for a prior provision for such completion over a twenty-three period, through the fiscal year ending June 30, 1979.

1975—Subsec. (a). Pub. L. 93-643 defined “Indian reservation roads and bridges” to include roads and bridges on the Federal-aid systems.

1973—Subsec. (a). Pub. L. 93-87, §105(1), in definition of “construction”, substituted “National Oceanic and Atmospheric Administration” for “Coast and Geodetic Survey” and extended definition to include improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas.

Pub. L. 93-87, §105(3), in definition of “Indian reservation roads and bridges”, substituted “approval of the Federal Government, or Indian and Alaska Native villages, groups, or communities in which Indians and

Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians” for “approval of the Federal Government on which Indians reside whom the Secretary of the Interior has determined to be eligible for services generally available to Indians under Federal laws specifically applicable to Indians”.

Pub. L. 93-87, §152(1), in definition of “Secretary”, substituted “Secretary of Transportation” for “Secretary of Commerce”.

Pub. L. 93-87, §105(4), in definition of “urbanized area”, provided for boundaries of the “urbanized area” to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary, and required such boundaries, as a minimum, to encompass the entire urbanized area within a State as designated by the Bureau of the Census.

Pub. L. 93-87, §105(2), in definition of “urban area”, substituted “an urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or an urban place as designated by the Bureau of the Census having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary” for “an area including and adjacent to a municipality or other urban place having a population of five thousand or more, as determined by the latest available Federal census, within boundaries to be fixed by a State highway department subject to the approval of the Secretary”, and required such boundaries, as a minimum, to encompass the entire urban place designated by the Bureau of the Census.

Subsec. (b). Pub. L. 93-87, §§106(a), 107, extended time for completion of the National System of Interstate and Defense Highways, substituting in second par. “twenty-three years” and “June 30, 1979” for “twenty years” and “June 30, 1976”, and inserted third par. declaratory of national policy, since the Interstate System is now in the final phase of completion, that increased emphasis be placed on the construction and reconstruction of the other Federal-aid systems in accordance with the first par. of subsec. (b), in order to bring all of the Federal-aid systems up to standards and to increase the safety of these systems to the maximum extent.

Subsec. (e). Pub. L. 93-87, §108, added subsec. (e).

1970—Subsec. (a). Pub. L. 91-605, §§106(a), 117(d), 130, 141, inserted definitions of “urbanized area” and “Federal-aid urban system”, substituted “subsection (e)” for “subsection (d)” in definition of “Interstate System”, included within the costs of construction, under the definition of “construction”, relocation assistance, acquisition of replacement housing sites, acquisition, and rehabilitation, relocation, and construction of replacement housing, and substituted “acquisition” for “costs” of rights-of-way, broadened definition of “Indian reservation roads and bridges” to include roads and bridges on State controlled Indian reservations, trust lands, and restricted Indian lands, as well as roads and bridges on such lands under Federal control, and inserted in definitions of “forest highway” and “public lands highways” provisions to ensure that these highways be on the Federal-aid systems.

Subsec. (b). Pub. L. 91-605, §104(a), substituted “twenty years” for “eighteen years” and “June 30, 1976” for “June 30, 1974”.

Subsec. (c). Pub. L. 91-605, §107, substituted “any officer or employee in the executive branch of the Federal Government” for “any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government” and “Highway Trust Fund” for “highway trust fund”.

Subsec. (d). Pub. L. 91-605, §107, substituted provisions prohibiting expenditure of funds from the Highway Trust Fund by any department other than the Federal Highway Administration unless these funds are identified and included as a line item in an appropria-

tion Act and are to meet obligations incurred under this title attributable to the construction of Federal aid highways or for planning, research, or development, or as otherwise specifically authorized to be appropriated from the Highway Trust Fund by Federal-aid highway legislation for provisions expressing essentially the same prohibitions but permitting expenditures to meet obligations incurred under this title attributable to Federal-aid highways, and contracted for in accordance with the Act of March 4, 1915, as amended [section 686 of Title 31, Money and Finance], relating to work or services not usually performed by the Federal Highway Administration, or relating to the furnishing of materials, supplies or equipment, and expenditures specifically identified in the budget and included in an appropriation Act.

1968—Subsec. (a). Pub. L. 90-495, §8, inserted “and other areas administered by the Forest Service” after “national forests” and “national forest” in definitions of “forest road or trail” and “forest development roads and trails”.

Subsec. (b). Pub. L. 90-495, §4(a), substituted a reference to “eighteen years’ appropriation” for reference to “sixteen years’ appropriation” and substituted “June 30, 1974” for “June 30, 1972”.

Subsecs. (c), (d). Pub. L. 90-495, §15, added subsecs. (c) and (d).

1966—Subsec. (b). Pub. L. 89-574 substituted a reference to “sixteen years’ appropriation” for reference to “fifteen years’ appropriation” and substituted “June 30, 1972” for “June 30, 1971”.

1964—Subsec. (b). Pub. L. 88-423 substituted “fifteen years” for “thirteen years” and “June 30, 1971” for “June 30, 1969”.

1962—Subsec. (a). Pub. L. 87-866 inserted definition of “public lands development roads and trails”.

1960—Subsec. (a). Pub. L. 86-624 substituted “fifty States, the District of Columbia, or Puerto Rico” for “forty-nine States, the District of Columbia, Hawaii, or Puerto Rico” in definition of “State”.

1959—Subsec. (a). Pub. L. 86-70 substituted “forty-nine States, the District of Columbia, Hawaii” for “forty-eight States, the District of Columbia, Hawaii, Alaska” in definition of “State”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 117-58, div. A, §10003, Nov. 15, 2021, 135 Stat. 443, provided that: “Except as otherwise provided, this division [see Tables for classification] and the amendments made by this division take effect on October 1, 2021.”

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE AND TERMINATION DATES OF 2012 AMENDMENT

Pub. L. 112-141, §3(a), July 6, 2012, 126 Stat. 413, provided that: “Except as otherwise provided, divisions A, B, C (other than sections 32603(d), 32603(g), 32912, and 34002 of that division) and E [see Tables for classification], including the amendments made by those divisions, take effect on October 1, 2012.”

Pub. L. 112-141, §3(b), July 6, 2012, 126 Stat. 413, provided that: “Except as otherwise provided, any reference to the date of enactment of the MAP-21 or to the date of enactment of the Federal Public Transportation Act of 2012 in the divisions described in subsection (a) [set out above] or in an amendment made by those divisions [see Tables for classification] shall be deemed to be a reference to the effective date of those divisions [Oct. 1, 2012].”

Pub. L. 112-140, §1(c), June 29, 2012, 126 Stat. 391, provided that: “On the date of enactment of the MAP-21 [Pub. L. 112-141, approved July 6, 2012]—

“(1) this Act [see Short Title of 2012 Amendment note below] and the amendments made by this Act shall cease to be effective;

“(2) the text of the laws amended by this Act shall revert back so as to read as the text read on the day before the date of enactment of this Act [June 29, 2012]; and

“(3) the amendments made by the MAP-21 [see Tables for classification] shall be executed as if this Act had not been enacted.”

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-244, title I, §121(a), (b), June 6, 2008, 122 Stat. 1608, provided that:

“(a) IN GENERAL.—Except as otherwise provided in this Act (including subsection (b)), this Act [see Tables for classification] and the amendments made by this Act take effect on the date of enactment of this Act [June 6, 2008].

“(b) EXCEPTION.—

“(1) IN GENERAL.—The amendments made by this Act (other than the amendments made by sections 101(g), 101(m)(1)(H) [amending section 144 of this title, not Pub. L. 109-59], 103, 105, 109, and 201(o)) to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59; 119 Stat. 1144) shall—

“(A) take effect as of the date of enactment of that Act [Aug. 10, 2005]; and

“(B) be treated as being included in that Act as of that date.

“(2) EFFECT OF AMENDMENTS.—Each provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59; 119 Stat. 1144) (including the amendments made by that Act) (as in effect on the day before the date of enactment of this Act [June 6, 2008]) that is amended by this Act (other than sections 101(g), 101(m)(1)(H), 103, 105, 109, and 201(o)) shall be treated as not being enacted.”

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-206, title IX, §9016, July 22, 1998, 112 Stat. 868, provided that: “This title [see Tables for classification] and the amendments made by this title shall take effect simultaneously with the enactment of the Transportation Equity Act for the 21st Century [Pub. L. 105-178]. For purposes of all Federal laws, the amendments made by this title shall be treated as being included in the Transportation Equity Act for the 21st Century at the time of the enactment of such Act [June 9, 1998], and the provisions of such Act (including the amendments made by such Act) (as in effect on the day before the date of enactment of this Act [July 22, 1998]) that are amended by this title shall be treated as not being enacted.”

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-240 effective Dec. 18, 1991, and applicable to funds authorized to be appropriated or made available after Sept. 30, 1991, and, with certain exceptions, not applicable to funds appropriated or made available on or before Sept. 30, 1991, see section 1100 of Pub. L. 102-240, set out as a note under section 104 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Pub. L. 91-605, title I, §147, Dec. 31, 1970, 84 Stat. 1739, provided that: “The amendments made by section 117 [enacting section 510 of this title, amending this section, and renumbering sections 511 and 512 of this title], 120 [amending provisions set out as a note under section 502 of this title], and 137 of this Act [amending section 506 of this title] shall not take effect if before the effective date of this Act [Dec. 31, 1970] the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 has been enacted into law.” The Uniform Relocation Assistance and Land Acquisition Policies Act of 1970, enacted as Pub. L. 91-646, 84 Stat. 1894, was ap-

proved Jan. 2, 1971, whereas this Act (Title I of Pub. L. 91-605) was approved Dec. 31, 1970, therefore the amendments made by sections 117, 120, and 137 of Title I of Pub. L. 91-605 took effect.

EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-495, §37, Aug. 23, 1968, 82 Stat. 836, as amended by Pub. L. 91-605, title I, §120, Dec. 31, 1970, 84 Stat. 1725, provided that:

“(a) Except as otherwise provided in subsection (b) of this section, this Act and the amendments made by this Act [enacting sections 135, 139, 140, 141, and 501 to 511 of this title, amending this section, sections 103, 104, 108, 112, 113, 115, 116, 120, 125, 128, 129, 131, 135, 136, 138, 205, 319, and 402 of this title, section 636 of Title 15, Commerce and Trade, and section 1653 of former Title 49, Transportation, repealing section 133 of this title, enacting provisions set out as notes under this section and sections 104, 108, 125, 134, 501, 502, and 510 of this title] shall take effect on the date of its enactment [Aug. 23, 1968], except that until July 1, 1970, sections 502, 505, 506, 507, and 508 of title 23, United States Code, as added by this Act, shall be applicable to a State only to the extent that such State is able under its laws to comply with such sections. Except as otherwise provided in subsection (b) of this section, after July 1, 1970, such sections shall be completely applicable to all States. Section 133 of title 23, United States Code, shall not apply to any State if sections 502, 505, 506, 507, and 508 of title 23, United States Code, are applicable in that State, and effective July 1, 1970, such section 133 is repealed.

“(b) In the case of any State (1) which is required to amend its constitution to comply with sections 502, 505, 506, 507, and 508 of title 23, United States Code, and (2) which cannot submit the required constitutional amendment for ratification prior to July 1, 1970, the date of July 1, 1970, contained in subsection (a) of this section shall be extended to July 1, 1972.”

EFFECTIVE DATE OF 1959 AMENDMENT

Pub. L. 86-70, §21(e), June 25, 1959, 73 Stat. 146, provided that the amendments made by that section (amending this section and sections 104, 116, and 120 of this title) are effective July 1, 1959.

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 117-58, §1(a), Nov. 15, 2021, 135 Stat. 429, provided that: “This Act [see Tables for classification] may be cited as the ‘Infrastructure Investment and Jobs Act’.”

Pub. L. 117-58, div. A, §10001, Nov. 15, 2021, 135 Stat. 443, provided that: “This division [see Tables for classification] may be cited as the ‘Surface Transportation Reauthorization Act of 2021’.”

Pub. L. 117-52, §1, Oct. 31, 2021, 135 Stat. 409, provided that: “This Act [amending sections 9503, 9504, and 9508 of Title 26, Internal Revenue Code, enacting provisions set out as a note under section 9503 of Title 26, amending provisions set out as notes under this section, and repealing provisions set out as a note under section 9503 of Title 26] may be cited as the ‘Further Surface Transportation Extension Act of 2021’.”

Pub. L. 117-44, §1, Oct. 2, 2021, 135 Stat. 382, provided that: “This Act [amending sections 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under this section and section 9503 of Title 26] may be cited as the ‘Surface Transportation Extension Act of 2021’.”

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-94, §1(a), Dec. 4, 2015, 129 Stat. 1312, provided that: “This Act [see Tables for classification] may be cited as the ‘Fixing America’s Surface Transportation Act’ or the ‘FAST Act’.”

Pub. L. 114-94, div. A, title VI, §6001, Dec. 4, 2015, 129 Stat. 1561, provided that: “This title [enacting section 519 of this title and sections 6314 and 6501 to 6503 of Title 49, Transportation, amending sections 502, 503,

512, 514, 515, 517, and 518 of this title, sections 5313, 5315, and 5316 of Title 5, Government Organization and Employees, and sections 102, 330, 5115, 5118, 5505, 6302, and 6307 of Title 49, repealing section 508 of this title and sections 112 and 5503 of Title 49, enacting provisions set out as notes under sections 150, 501, and 503 of this title and sections 301 and 6501 of Title 49, and amending provisions set out as notes under sections 502 and 512 of this title] may be cited as the ‘Transportation for Tomorrow Act of 2015’.”

Pub. L. 114–87, §1(a), Nov. 20, 2015, 129 Stat. 677, provided that: “This Act [amending section 403 of this title, section 777c of Title 16, Conservation, sections 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and sections 5128, 5311, 5336, 5338, 5339, 31104, and 31144 of Title 49, Transportation, and amending provisions set out as notes under sections 104, 202, and 402 of this title and sections 31100 and 31301 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2015, Part II’.”

Pub. L. 114–73, §1(a), Oct. 29, 2015, 129 Stat. 568, provided that: “This Act [amending section 403 of this title, section 777c of Title 16, Conservation, sections 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and sections 5128, 5311, 5336, 5338, 5339, 20157, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as a note under section 20101 of Title 49, and amending provisions set out as notes under sections 104, 202, and 402 of this title and sections 31100 and 31301 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2015’.”

Pub. L. 114–41, §1(a), July 31, 2015, 129 Stat. 443, provided that: “This Act [see Tables for classification] may be cited as the ‘Surface Transportation and Veterans Health Care Choice Improvement Act of 2015’.”

Pub. L. 114–21, §1(a), May 29, 2015, 129 Stat. 218, provided that: “This Act [amending section 403 of this title, section 777c of Title 16, Conservation, sections 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and sections 5128, 5311, 5336, 5338, 5339, 31104, and 31144 of Title 49, Transportation, and amending provisions set out as notes under sections 104, 202, and 402 of this title and sections 31100 and 31301 of Title 49] may be cited as the ‘Highway and Transportation Funding Act of 2015’.”

SHORT TITLE OF 2014 AMENDMENT

Pub. L. 113–159, §1(a), Aug. 8, 2014, 128 Stat. 1839, provided that: “This Act [amending section 403 of this title, section 777c of Title 16, Conservation, section 58c of Title 19, Customs Duties, sections 430, 436, 9503, 9504, and 9508 of Title 26, Internal Revenue Code, sections 1021, 1056, and 1083 of Title 29, Labor, and sections 5128, 5311, 5336, 5338, 5339, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as notes under section 101 of this title, sections 430 and 436 of Title 26, and section 1021 of Title 29, amending provisions set out as notes under sections 104, 202, and 402 of this title and sections 31100 and 31301 of Title 49] may be cited as the ‘Highway and Transportation Funding Act of 2014’.”

SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112–141, §1(a), July 6, 2012, 126 Stat. 405, provided that: “This Act [see Tables for classification] may be cited as the ‘Moving Ahead for Progress in the 21st Century Act’ or the ‘MAP-21’.”

Pub. L. 112–141, div. A, title II, §2001, July 6, 2012, 126 Stat. 607, provided that: “This title [amending sections 601 to 609 of this title] may be cited as the ‘America Fast Forward Financing Innovation Act of 2012’.”

Pub. L. 112–141, div. C, title I, §31001, July 6, 2012, 126 Stat. 732, provided that: “This title [see Tables for classification] may be cited as the ‘Motor Vehicle and Highway Safety Improvement Act of 2012’ or ‘Mariah’s Act’.”

Pub. L. 112–141, div. E, §50001, July 6, 2012, 126 Stat. 864, provided that: “This division [see Tables for classification] may be cited as the ‘Transportation Research and Innovative Technology Act of 2012’.”

Pub. L. 112–141, div. G, §110001, July 6, 2012, 126 Stat. 980, provided that: “This division [see Tables for classification] may be cited as the ‘Surface Transportation Extension Act of 2012, Part II’.”

Pub. L. 112–140, §1(a), June 29, 2012, 126 Stat. 391, provided that: “This Act [amending section 327 of this title, sections 4601–11 and 777c of Title 16, Conservation, sections 4041, 4051, 4071, 4081, 4221, 4482, 4483, 6412, 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and sections 5305, 5307, 5309, 5311, 5337, 5338, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as notes under this section, section 327 of this title, section 4601–11 of Title 16, and section 9503 of Title 26, and amending provisions set out as notes under sections 5309, 5310, 5338, 14710, 31100, and 31301 of Title 49] may be cited as the ‘Temporary Surface Transportation Extension Act of 2012’.”

Pub. L. 112–102, §1(a), Mar. 30, 2012, 126 Stat. 271, provided that: “This Act [amending sections 4601–11 and 777c of Title 16, Conservation, sections 4041, 4051, 4071, 4081, 4221, 4481 to 4483, 6412, 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and sections 5305, 5307, 5309, 5311, 5337, 5338, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as notes under section 4601–11 of Title 16 and section 9503 of Title 26, and amending provisions set out as notes under sections 5309, 5310, 5338, 14710, 31100, and 31301 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2012’.”

SHORT TITLE OF 2011 AMENDMENT

Pub. L. 112–30, §1(a), Sept. 16, 2011, 125 Stat. 342, provided that: “This Act [amending sections 405 and 410 of this title, sections 4601–11 and 777c of Title 16, Conservation, sections 4041, 4051, 4071, 4081, 4221, 4261, 4271, 4481 to 4483, 6412, 9502 to 9504, and 9508 of Title 26, Internal Revenue Code, and sections 106, 5305, 5307, 5309, 5311, 5337, 5338, 31104, 31144, 40117, 41742, 41743, 44302, 44303, 47104, 47107, 47115, 47141, 48101 to 48103, and 49108 of Title 49, Transportation, enacting provisions set out as notes under this section, section 4601–11 of Title 16, and sections 1, 4081, 9502, and 9503 of Title 26, and amending provisions set out as notes under sections 402, 403, and 405 of this title and sections 5309, 5310, 5338, 14710, 31100, 31301, 41731, and 47109 of Title 49] may be cited as the ‘Surface and Air Transportation Programs Extension Act of 2011’.”

Pub. L. 112–30, title I, §101, Sept. 16, 2011, 125 Stat. 343, provided that: “This title [amending sections 405 and 410 of this title, sections 4601–11 and 777c of Title 16, Conservation, sections 4041, 4051, 4071, 4081, 4221, 4481 to 4483, 6412, 9503, 9504, and 9508 of Title 26, Internal Revenue Code, and sections 5305, 5307, 5309, 5311, 5337, 5338, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as notes under section 4601–11 of Title 16 and section 9503 of Title 26, and amending provisions set out as notes under sections 402, 403, and 405 of this title and sections 5309, 5310, 5338, 14710, 31100, and 31301 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2011, Part II’.”

Pub. L. 112–5, §1(a), Mar. 4, 2011, 125 Stat. 14, provided that: “This Act [amending section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, and sections 5305, 5307, 5309, 5311, 5337, 5338, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under section 901 of Title 2, The Congress, and sections 5309, 5310, 5338, 14710, 31309, 31100, 31301, and 31100 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2011’.”

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111–322, title II, §2001(a), Dec. 22, 2010, 124 Stat. 3522, provided that: “This title [amending sections 327 and 510 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, and sections 5305, 5307, 5309, 5311, 5337, 5338, 31104, and 31144 of Title 49, Transportation, enact-

ing provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under section 901 of Title 2, The Congress, and sections 5309, 5310, 5338, 14710, 31100, 31301, and 31309 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2010, Part II.’”

Pub. L. 111–147, title IV, § 401, Mar. 18, 2010, 124 Stat. 78, provided that: “This title [amending sections 405 and 410 of this title, section 777c of Title 16, Conservation, sections 9502 to 9504 of Title 26, Internal Revenue Code, and sections 5305, 5307, 5309, 5311, 5337, 5338, 31104, and 31144 of Title 49, Transportation, enacting provisions set out as notes under this section and sections 9502 and 9503 of Title 26, and amending provisions set out as notes under sections 402, 403, and 405 of this title, section 901 of Title 2, The Congress, and sections 5309, 5310, 5338, 14710, 31100, 31301, and 31309 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2010.’”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110–244, §1(a), June 6, 2008, 122 Stat. 1572, provided that: “This Act [see Tables for classification] may be cited as the ‘SAFETEA-LU Technical Corrections Act of 2008.’”

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109–59, §1(a), Aug. 10, 2005, 119 Stat. 1144, provided that: “This Act [see Tables for classification] may be cited as the ‘Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users’ or ‘SAFETEA-LU.’”

Pub. L. 109–42, §1, July 30, 2005, 119 Stat. 435, provided that: “This Act [amending section 9503 and 9504 of Title 26, Internal Revenue Code, and section 5338 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as a note under section 104 of this title] may be cited as the ‘Surface Transportation Extension Act of 2005, Part VI.’”

Pub. L. 109–40, §1, July 28, 2005, 119 Stat. 410, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2005, Part V.’”

Pub. L. 109–37, §1, July 22, 2005, 119 Stat. 394, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2005, Part IV.’”

Pub. L. 109–35, §1, July 20, 2005, 119 Stat. 379, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2005, Part III.’”

Pub. L. 109–20, §1, July 1, 2005, 119 Stat. 346, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sec-

tions 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2005, Part II.’”

Pub. L. 109–14, §1, May 31, 2005, 119 Stat. 324, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 4481 to 4483, 9503, and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as notes under this section and section 4481 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2005.’”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108–310, §1, Sept. 30, 2004, 118 Stat. 1144, provided that: “This Act [amending sections 144, 157, 163, 188, and 410 of this title, sections 900 and 901 of Title 2, The Congress, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as notes under this section, section 104 of this title, section 9503 of Title 26, and section 5337 of Title 49, amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, section 901 of Title 2, and sections 5307, 5309, 5310, and 5338 of Title 49, and repealing provisions set out as a note under section 9503 of Title 26] may be cited as the ‘Surface Transportation Extension Act of 2004, Part V.’”

Pub. L. 108–280, §1, July 30, 2004, 118 Stat. 876, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as notes under section 9503 of Title 26, amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, and 5338 of Title 49, and repealing provisions set out as a note under section 5337 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2004, Part IV.’”

Pub. L. 108–263, §1, June 30, 2004, 118 Stat. 698, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, 5337, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2004, Part III.’”

Pub. L. 108–224, §1, Apr. 30, 2004, 118 Stat. 627, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, 5337, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2004, Part II.’”

Pub. L. 108–202, §1, Feb. 29, 2004, 118 Stat. 478, provided that: “This Act [amending sections 144, 157, 163, and 188 of this title, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code,

section 13106 of Title 46, Shipping, and sections 5307, 5309, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as a note under section 9503 of Title 26, and amending provisions set out as notes under this section, sections 104, 322, and 402 of this title, and sections 5307, 5309, 5310, 5337, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2004.’”

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-88, §1, Sept. 30, 2003, 117 Stat. 1110, provided that: “This Act [amending sections 144, 157, 163, 188, and 410 of this title, sections 900 and 901 of Title 2, The Congress, section 777c of Title 16, Conservation, sections 9503 and 9504 of Title 26, Internal Revenue Code, section 13106 of Title 46, Shipping, and sections 5307, 5309, 5337, 5338, 31104, and 31107 of Title 49, Transportation, enacting provisions set out as notes under this section, section 104 of this title, section 9503 of Title 26, and section 5337 of Title 49, and amending provisions set out as notes under this section, sections 322 and 402 of this title, section 901 of Title 2, and sections 5309, 5310, and 5338 of Title 49] may be cited as the ‘Surface Transportation Extension Act of 2003.’”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-206, title IX, §9001, July 22, 1998, 112 Stat. 834, provided that: “This title [see Tables for classification] may be cited as the ‘TEA 21 Restoration Act.’”

Pub. L. 105-178, §1(a), June 9, 1998, 112 Stat. 107, provided that: “This Act [see Tables for classification] may be cited as the ‘Transportation Equity Act for the 21st Century.’”

Pub. L. 105-178, title I, §1501, June 9, 1998, 112 Stat. 241, provided that: “This chapter [chapter 1 (§§1501-1504) of subtitle E of title I of Pub. L. 105-178, enacting subchapter II of this chapter, amending section 301 of Title 49, Transportation, and enacting provisions set out as a note under section 181 of this title] may be cited as the ‘Transportation Infrastructure Finance and Innovation Act of 1998.’”

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-130, §1, Dec. 1, 1997, 111 Stat. 2552, provided that: “This Act [amending sections 104, 321, 326, and 410 of this title, sections 9503, 9504, and 9511 of Title 26, Internal Revenue Code, and sections 111, 5309, 5337, 5338, 30308, and 31104 of Title 49, Transportation, enacting provisions set out as notes under section 104 of this title and section 9503 of Title 26, and amending provisions set out as notes under this section and section 307 of this title] may be cited as the ‘Surface Transportation Extension Act of 1997.’”

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-59, §1(a), Nov. 28, 1995, 109 Stat. 568, provided that: “This Act [enacting section 161 of this title, amending this section, sections 103, 104, 106, 109, 111, 112, 115, 116, 120, 122, 127, 129, 130, 131, 133, 134, 141, 144, 149, 152, 153, 217, 303, 306, 307, 323, 409, and 410 of this title, sections 1261 and 1262 of Title 16, Conservation, sections 7506 and 12186 of Title 42, The Public Health and Welfare, and sections 5316, 5331, 20140, 30308, 31112, 31136, 31306, and 45102 of Title 49, Transportation, repealing section 154 of this title, enacting provisions set out as notes preceding section 101 of this title and under this section, sections 104, 109, 130, 141, 153, 154, 307, 309, 401, and 408 of this title, section 403 of Title 16, section 7511a of Title 42, and section 31136 of Title 49, amending provisions set out as notes under this section and sections 104, 109, 127, 149, and 307 of this title, and repealing provisions set out as notes preceding section 101 of this title and under section 112 of this title] may be cited as the ‘National Highway System Designation Act of 1995.’”

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-17, §1(a), Apr. 2, 1987, 101 Stat. 132, provided that: “This Act [enacting sections 151, 156, and

409 of this title, section 508 of Title 33, Navigation and Navigable Waters, section 4604 of Title 42, The Public Health and Welfare, and sections 1607a-2, 1619, 1620, and 1621 of former Title 49, Transportation, amending this section, sections 103, 104, 106, 109, 111, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 125, 127, 129, 130, 138, 140, 144, 152, 154, 157, 204, 210, 215, 217, 307, 315, 319, 321, 323, 401, 402, and 408 of this title, section 4607-11 of Title 16, Conservation, section 1761 of Title 18, Crimes and Criminal Procedure, sections 4041, 4051, 4052, 4071, 4081, 4221, 4481, 4482, 4483, 6156, 6412, 6420, 6421, 6427, and 9503 of Title 26, Internal Revenue Code, sections 494 and 1414 of Title 33, sections 4601, 4621, 4622, 4623, 4624, 4625, 4626, 4630, 4631, 4633, 4636, 4638, 4651, and 4655 of Title 42, sections 303 and 10922 of Title 49, and sections 1602, 1603, 1604, 1607, 1607a, 1607a-1, 1607c, 1608, 1612, 1613, 1614, 1617, 1655, 2311, 2314, and 2716 of former Title 49, repealing sections 211, 213, 219, and 322 of this title, sections 498a, 498b, 503 to 507, 526, 526a, 529, and 535d of Title 33, and sections 4634 and 4637 of Title 42, enacting provisions set out as notes under this section, sections 103, 104, 116, 120, 125, 127, 130, 144, 202, 307, 401, and 402 of this title, sections 1, 4052, and 4481 of Title 26, section 4601 of Title 42, section 10922 of Title 49, and sections 1601, 1602, 1608, and 2204 of former Title 49, amending provisions set out as notes under this section and sections 103, 104, 130, 141, 144, 146, and 401 of this title, and repealing provisions set out as notes under sections 114, 130, and 217 of this title and section 526a of Title 33] may be cited as the ‘Surface Transportation and Uniform Relocation Assistance Act of 1987.’”

Pub. L. 100-17, title I, §101, Apr. 2, 1987, 101 Stat. 134, provided that: “This title [enacting sections 151, 156, and 409 of this title and section 508 of Title 33, Navigation and Navigable Waters, amending this section, sections 103, 104, 106, 109, 111, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 125, 127, 129, 130, 138, 140, 144, 152, 154, 157, 204, 210, 215, 217, 307, 315, 319, 321, 323, 401, and 402 of this title, section 1761 of Title 18, Crimes and Criminal Procedure, sections 494 and 1414 of Title 33, section 303 of Title 49, Transportation, and sections 1655, 2311, and 2716 of former Title 49, repealing sections 211, 213, 219, and 322 of this title and sections 498a, 498b, 503 to 507, 526, 526a, 529, and 535d of Title 33, enacting provisions set out as notes under this section and sections 103, 104, 116, 120, 125, 127, 130, 144, 202, 307, and 402 of this title, amending provisions set out as notes under this section and sections 103, 104, 130, 141, 144, and 146 of this title, and repealing provisions set out as notes under sections 114, 130, and 217 of this title and section 526a of Title 33] may be cited as the ‘Federal-Aid Highway Act of 1987.’”

SHORT TITLE OF 1983 AMENDMENT

Pub. L. 97-424, §1, Jan. 6, 1983, 96 Stat. 2097, provided: “That this Act [enacting section 157 of this title, sections 4051 to 4053 and 9503 of Title 26, Internal Revenue Code, and sections 1601c, 1607a, 1607a-1, 1617, 1618, and 2301 to 2315 of former Title 49, Transportation, amending section 713c-3 of Title 15, Commerce and Trade, sections 4607-11 and 1606a of Title 16, Conservation, sections 101, 101 notes, 103, 103 note, 105, 109, 112, 113, 114, 115, 116, 118, 119, 120, 122, 125, 127, 130 notes, 137, 139, 140, 141, 142, 144, 150, 152, 201, 202, 203, 204, 210, 214, 217, 218, 307, 307 note, 401 note, and 402 of this title, sections 39, 44E, 46, 48, 103, 165 note, 167, 168, 274, 851, 852, 874, 882, 3304 note, 3454, 4041, 4061, 4063, 4071, 4081, 4101, 4102, 4221, 4222, 4481, 4482, 4483, 6049, 6156, 6201, 6206, 6362, 6412, 6416, 6420, 6421, 6427, 6504, 6675, 7210, 7603, 7604, 7605, 7609, 7610, and 9502 of Title 26, section 1414 of Title 33, Navigation and Navigable Waters, sections 602 and 1382a of Title 42, The Public Health and Welfare, sections 1474, 1475, and 1479 of former Title 46, Shipping, section 1273 of Title 46, Appendix, sections 10927 note, 11909 and 11914 of Title 49, and sections 1602, 1603, 1604, 1607c, 1608, 1611, 1612, 1614, 2204, 2205, 2206 of former Title 49, repealing sections 101 notes, 104 note, and 206 to 209 of this title, sections 120 note, 4091 to 4094, and 6424 of Title 26, and sections 1602 note, 1604a, 1617, and 1618 of former Title 49, and enacting provisions set out as notes under this section, sections 103, 104, 105, 109, 111, 119, 120, 125, 144, 146,

154, 307, 401, and 408 of this title, section 713c-3 of Title 15, sections 1, 39, 46, 165, 274, 3304, 4041, 4051, 4061, 4071, 4081, 4481, 6012, 6427, and 9503 of Title 26, section 602 of Title 42, and sections 1601, 1612, and 2315 of former Title 49] may be cited as the ‘Surface Transportation Assistance Act of 1982’.”

Pub. L. 97-424, title I, §101, Jan. 6, 1983, 96 Stat. 2097, provided that: “This title [enacting section 157 of this title, amending this section and sections 103, 105, 109, 112, 113, 114, 115, 116, 118, 119, 120, 122, 125, 127, 137, 139, 140, 142, 144, 150, 152, 201, 202, 203, 204, 210, 214, 217, 218, and 307 of this title, repealing sections 101 notes, 104 note, and 206 to 209 of this title, and enacting provisions set out as notes under this section, sections 103, 104, 105, 109, 111, 119, 120, 125, 144, and 146 of this title, and section 2315 of former Title 49, Transportation] may be cited as the ‘Highway Improvement Act of 1982’.”

Pub. L. 97-327, §1, Oct. 15, 1982, 96 Stat. 1611, provided: “That this Act [amending section 144 of this title, provisions set out as notes under this section and section 130 of this title, and enacting provisions set out as notes under section 104 of this title] may be cited as the ‘Federal-Aid Highway Act of 1982’.”

SHORT TITLE OF 1981 AMENDMENT

Pub. L. 97-134, §13, Dec. 29, 1981, 95 Stat. 1703, provided that: “This Act [amending sections 104, 119, and 139 of this title and enacting provisions set out as notes under this section and section 104 of this title] may be cited as the ‘Federal-Aid Highway Act of 1981’.”

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-599, §1, Nov. 6, 1978, 92 Stat. 2689, provided: “That this Act [enacting sections 119, 146, and 407 of this title, and sections 1602-1, 1607, 1614, 1615, 1616, 1617 and 1618 of former Title 49, Transportation, amending this section, sections 103, 104, 105, 109, 111, 116, 118, 120, 122, 124, 125, 129, 131, 134, 141, 144, 148, 151, 152, 154, 155, 215, 217, 219, 320, 402, and 406 of this title, section 1418 of Title 15, Commerce and Trade, section 4601-11 of Title 16, Conservation, sections 39, 4041, 4061, 4071, 4081, 4481, 4482, 6156, 6412, 6421, 6427, 7210, 7603, 7604, 7605, 7609, and 7610 of Title 26, Internal Revenue Code, section 201 of former Title 40, Appendix, Public Buildings, Property, and Works, sections 303, 1602, 1603, 1604, 1607b, 1607c, 1608, 1611, 1612, and 1613 of former Title 49, repealing section 153 of this title and sections 1607, 1607a, and 1614 of former Title 49, and enacting provisions set out as notes under this section, sections 103, 104, 109, 111, 120, 122, 124, 129, 130, 134, 135, 141, 142, 144, 146, 215, 217, 307, 320, 401, 402, and 403 of this title, section 6427 of Title 26, section 201 of former Title 40, Appendix, section 5904 of Title 42, The Public Health and Welfare, section 883 of Title 46, Appendix, Shipping, and sections 1601, 1602, 1604, 1605, 1612, and 1653 of former Title 49] may be cited as the ‘Surface Transportation Assistance Act of 1978’.”

Pub. L. 95-599, title I, §101, Nov. 6, 1978, 92 Stat. 2689, provided that: “This title [enacting sections 119 and 146 of this title, amending this section, sections 103, 104, 105, 109, 111, 116, 118, 120, 122, 124, 125, 129, 131, 134, 141, 144, 148, 151, 152, 155, 203, 215, 217, 219, 320, and 406 of this title, and section 201 of former Title 40, Appendix, Public Buildings, Property and Works, repealing section 153 of this title and provisions set out as notes under this section and section 1605 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under this section, sections 103, 104, 109, 111, 120, 122, 124, 129, 130, 134, 135, 141, 142, 144, 146, 217, 307, and 320 of this title, section 201 of former Title 40, Appendix, section 5904 of Title 42, section 883 of Title 46, Appendix, Shipping, and section 1653 of former Title 49, Transportation] may be cited as the ‘Federal-Aid Highway Act of 1978’.”

Pub. L. 95-599, title V, §501, Nov. 6, 1978, 92 Stat. 2756, provided that: “This title [amending section 4601-11 of Title 16, Conservation, sections 39, 4041, 4061, 4071, 4081, 4481, 4482, 6156, 6412, 6421, 6427, 7210, 7603, 7604, and 7605 of Title 26, Internal Revenue Code, and enacting provi-

sions set out as notes under sections 120 and 307 of this title and section 6427 of Title 26] may be cited as the ‘Highway Revenue Act of 1978’.”

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-280, title I, §101, May 5, 1976, 90 Stat. 425, provided that: “This title [enacting section 156 of this title, amending this section and sections 103, 104, 106, 108, 117, 118, 121, 125, 127, 129, 131, 135, 138 to 140, 142, 147, 152, 153, 202, 203, 217, 219, 319, and 320 of this title, repealing sections 146 and 405 of this title, enacting provisions set out as notes under this section, sections 103, 104, 124, 134, 135, 215, 218, 319, and 320 of this title, and section 1605 of former Title 49, Transportation, and amending provisions set out as notes under this section, sections 120, 130, and 142 of this title, and section 1605 of former Title 49] may be cited as the ‘Federal-Aid Highway Act of 1976’.”

SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93-643, §1, Jan. 4, 1975, 88 Stat. 2281, provided: “That this Act [enacting sections 141, 154, 155, 219, and 406, amending this section and sections 103, 115, 127, 129, 131, 136, 144, 208, 320, 322, 323, and 405, enacting provisions set out as notes under this section, sections 142, 217, and 320, amending provisions set out as notes under this section and sections 130 and 142, and repealing provisions set out as a note under this section] may be cited as the ‘Federal-Aid Highway Amendments of 1974’.”

SHORT TITLE OF 1973 AMENDMENT

Pub. L. 93-87, title I, §101, Aug. 13, 1973, 87 Stat. 250, provided that: “This title [enacting sections 145 to 150, 217, 218, 323, and 324 of this title and section 1602a of former Title 49, Transportation, amending this section and sections 103 to 105, 108, 109, 114, 117, 121, 126, 129, 135, 140, 142, 143, 149, 207, 303, 307 to 310, 312, 314, and 320 of this title, and enacting provisions set out as notes under this section, sections 103, 104, 120, 130, 142, 218, 307, 319, and 320 of this title, and sections 1608 and 1637 of former Title 49] may be cited as the ‘Federal-Aid Highway Act of 1973’.”

SHORT TITLE OF 1970 AMENDMENT

Pub. L. 91-605, title I, §101, Dec. 31, 1970, 84 Stat. 1713, provided that: “This title [enacting sections 142, 143, 215, 216, 321, and 510 of this title, amending this section and sections 103, 104, 105, 106, 109, 120, 125, 128, 129, 131, 134, 135, 136, 139, 140, 303, 307, 320, 506, 511, 512 of this title and section 517 of Title 33, Navigation and Navigable Waters, and enacting provisions set out as notes under this section and sections 104, 120, 129, 131, 134, 215, 216, 303, 307, 320, and 510 of this title] may be cited as the ‘Federal-Aid Highway Act of 1970’.”

SHORT TITLE OF 1968 AMENDMENT

Pub. L. 90-495, §1, Aug. 23, 1968, 82 Stat. 815, provided that: “This Act [enacting sections 135, 139, 140, and 141 of this title, amending this section, sections 103, 104, 108, 112, 113, 115, 116, 120, 125, 128, 129, 131, 135, 136, 138, 205, 319, 402, and 501 to 512 of this title, section 636 of Title 15, Commerce and Trade, section 1653 of former Title 49, Transportation, and provisions set out as a note under this section, repealing section 133 of this title and enacting provisions formerly set out as notes under this section and sections 104, 108, 125, 134, 501, 502, and 510 of this title] may be cited as the ‘Federal-Aid Highway Act of 1968’.”

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89-574, §1, Sept. 13, 1966, 80 Stat. 766, provided that: “This Act [enacting sections 120 and 138 of this title, amending this section and sections 104, 109, 118, 120, 125, 131, 136, 302, and 319 of this title, and enacting provisions set out as notes under this section and sections 106, 108, 125, 133, and 137 of this title] may be cited as the ‘Federal-Aid Highway Act of 1966’.”

SHORT TITLE OF 1965 AMENDMENT

Pub. L. 89-285, § 403, Oct. 22, 1965, 79 Stat. 1033, provided that: "This Act [enacting sections 136 of this title and provisions set out as notes under sections 131 and 135 of this title and amending sections 131 and 319 of this title] may be cited as the 'Highway Beautification Act of 1965'."

SHORT TITLE OF 1964 AMENDMENT

Pub. L. 88-423, § 1, Aug. 13, 1964, 78 Stat. 397, provided that: "This Act [amending this section and sections 104, 205, 209, and 320 of this title] may be cited as the 'Federal-Aid Highway Act of 1964'."

SHORT TITLE OF 1963 AMENDMENT

Pub. L. 88-157, § 1, Oct. 24, 1963, 77 Stat. 276, provided: "That this Act [amending sections 104, 106, 109, 121, 131, and 307 of this title] may be cited as the 'Federal-Aid Highway Amendments Act of 1963'."

SHORT TITLE OF 1962 AMENDMENT

Pub. L. 87-866, § 1, Oct. 23, 1962, 76 Stat. 1145, provided that: "This Act [enacting sections 133, 134 and 214 of this title, amending this section and sections 103, 104, 203, and 307 of this title, and enacting provisions set out as a note under section 307 of this title] may be cited as the 'Federal-Aid Highway Act of 1962'."

SHORT TITLE OF 1961 AMENDMENT

Pub. L. 87-61, title I, § 101, June 29, 1961, 75 Stat. 122, provided that: "This Act [enacting section 6156 of Title 26, Internal Revenue Code, amending sections 111, 131 and 210 of this title and sections 4041, 4061, 4071, 4081, 4218, 4221, 4226, 4481, 4482, 6412, 6416, 6421, and 6601 of Title 26, enacting provisions set out as notes under this section and section 104 of this title and under section 4041 of Title 26, and amending provisions set out as notes under this section and section 120 of this title] may be cited as the 'Federal-Aid Highway Act of 1961'."

SHORT TITLE OF 1960 AMENDMENT

Pub. L. 86-657, § 1, July 14, 1960, 74 Stat. 522, provided that: "This Act [enacting section 132 of this title and amending sections 104, 114, 120, 129, 203, 205, 210, and 305 of this title] may be cited as the 'Federal Highway Act of 1960'."

SHORT TITLE OF 1959 AMENDMENT

Pub. L. 86-342, title I, § 101, Sept. 21, 1959, 73 Stat. 611, provided that: "This Act [amending sections 125, 131, 137, and 320 of this title, and sections 4041, 4081, 4082, 4226, 6412, 6416, and 6421 of Title 26, Internal Revenue Code, enacting notes set out under section 307 of this title and section 4082 of Title 26, and amending notes set out under this section and sections 104 and 120 of this title] may be cited as the 'Federal-Aid Highway Act of 1959'."

SEPARABILITY

Pub. L. 90-495, § 36, Aug. 23, 1968, 82 Stat. 836, provided that: "If any provision of this Act (including the amendments made by this Act) [enacting sections 135, 139, 140, 141, and 501-511 of this title, amending this section, sections 103, 104, 108, 112, 113, 115, 116, 120, 125, 128, 129, 131, 135, 136, 138, 205, 319, and 402 of this title, section 636 of Title 15, Commerce and Trade, section 1653 of former Title 49, Transportation, and provisions set out as a note under this section, repealing section 133 of this title, and enacting provisions set out as notes under this section and sections 104, 108, 125, 134, 501, 502, and 510 of this title] or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of the provision to other persons or circumstances shall not be affected thereby."

TRANSFER OF FUNCTIONS

Functions, powers, and duties of Secretary of Commerce and other officers and offices of Department of

Commerce under this title and under specific related laws and parts of laws set out in the notes in this title relating generally to highways and highway and traffic safety transferred to and vested in Secretary of Transportation by Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, which created Department of Transportation. See section 102 of Title 49, Transportation, and Pub. L. 97-449, § 2, Jan. 12, 1983, 96 Stat. 2439.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

RECONNECTING COMMUNITIES PILOT PROGRAM

Pub. L. 117-58, div. A, title I, § 11509, Nov. 15, 2021, 135 Stat. 588, provided that:

"(a) DEFINITION OF ELIGIBLE FACILITY.—

"(1) IN GENERAL.—In this section, the term 'eligible facility' means a highway or other transportation facility that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors.

"(2) INCLUSIONS.—In this section, the term 'eligible facility' may include—

"(A) a limited access highway;

"(B) a viaduct; and

"(C) any other principal arterial facility.

"(b) ESTABLISHMENT.—The Secretary [of Transportation] shall establish a pilot program through which an eligible entity may apply for funding, in order to restore community connectivity—

"(1) to study the feasibility and impacts of removing, retrofitting, or mitigating an existing eligible facility;

"(2) to conduct planning activities necessary to design a project to remove, retrofit, or mitigate an existing eligible facility; and

"(3) to conduct construction activities necessary to carry out a project to remove, retrofit, or mitigate an existing eligible facility.

"(c) PLANNING GRANTS.—

"(1) ELIGIBLE ENTITIES.—The Secretary may award a grant (referred to in this section as a 'planning grant') to carry out planning activities described in paragraph (2) to—

"(A) a State;

"(B) a unit of local government;

"(C) a Tribal government;

"(D) a metropolitan planning organization; and

"(E) a nonprofit organization.

"(2) ELIGIBLE ACTIVITIES DESCRIBED.—The planning activities referred to in paragraph (1) are—

"(A) planning studies to evaluate the feasibility of removing, retrofitting, or mitigating an existing eligible facility to restore community connectivity, including evaluations of—

"(i) current traffic patterns on the eligible facility proposed for removal, retrofit, or mitigation and the surrounding street network;

"(ii) the capacity of existing transportation networks to maintain mobility needs;

"(iii) an analysis of alternative roadway designs or other uses for the right-of-way of the eligible facility, including an analysis of whether the available right-of-way would suffice to create an alternative roadway design;

"(iv) the effect of the removal, retrofit, or mitigation of the eligible facility on the mobility of freight and people;

"(v) the effect of the removal, retrofit, or mitigation of the eligible facility on the safety of the traveling public;

"(vi) the cost to remove, retrofit, or mitigate the eligible facility—

"(I) to restore community connectivity; and

“(II) to convert the eligible facility to a different roadway design or use, compared to any expected costs for necessary maintenance or reconstruction of the eligible facility;

“(vii) the anticipated economic impact of removing, retrofitting, or mitigating and converting the eligible facility and any economic development opportunities that would be created by removing, retrofitting, or mitigating and converting the eligible facility; and

“(viii) the environmental impacts of retaining or reconstructing the eligible facility and the anticipated effect of the proposed alternative use or roadway design;

“(B) public engagement activities to provide opportunities for public input into a plan to remove and convert an eligible facility; and

“(C) other transportation planning activities required in advance of a project to remove, retrofit, or mitigate an existing eligible facility to restore community connectivity, as determined by the Secretary.

“(3) TECHNICAL ASSISTANCE PROGRAM.—

“(A) IN GENERAL.—The Secretary may provide technical assistance described in subparagraph (B) to an eligible entity.

“(B) TECHNICAL ASSISTANCE DESCRIBED.—The technical assistance referred to in subparagraph (A) is technical assistance in building organizational or community capacity—

“(i) to engage in transportation planning; and

“(ii) to identify innovative solutions to infrastructure challenges, including reconnecting communities that—

“(I) are bifurcated by eligible facilities; or

“(II) lack safe, reliable, and affordable transportation choices.

“(C) PRIORITIES.—In selecting recipients of technical assistance under subparagraph (A), the Secretary shall give priority to an application from a community that is economically disadvantaged.

“(4) SELECTION.—The Secretary shall—

“(A) solicit applications for—

“(i) planning grants; and

“(ii) technical assistance under paragraph (3); and

“(B) evaluate applications for a planning grant on the basis of the demonstration by the applicant that—

“(i) the eligible facility is aged and is likely to need replacement or significant reconstruction within the 20-year period beginning on the date of the submission of the application;

“(ii) the eligible facility—

“(I) creates barriers to mobility, access, or economic development; or

“(II) is not justified by current and forecast future travel demand; and

“(iii) on the basis of preliminary investigations into the feasibility of removing, retrofitting, or mitigating the eligible facility to restore community connectivity, further investigation is necessary and likely to be productive.

“(5) AWARD AMOUNTS.—A planning grant may not exceed \$2,000,000 per recipient.

“(6) FEDERAL SHARE.—The total Federal share of the cost of a planning activity for which a planning grant is used shall not exceed 80 percent.

“(d) CAPITAL CONSTRUCTION GRANTS.—

“(1) ELIGIBLE ENTITIES.—The Secretary may award a grant (referred to in this section as a ‘capital construction grant’) to the owner of an eligible facility to carry out an eligible project described in paragraph (3) for which all necessary feasibility studies and other planning activities have been completed.

“(2) PARTNERSHIPS.—An owner of an eligible facility may, for the purposes of submitting an application for a capital construction grant, if applicable, partner with—

“(A) a State;

“(B) a unit of local government;

“(C) a Tribal government;

“(D) a metropolitan planning organization; or

“(E) a nonprofit organization.

“(3) ELIGIBLE PROJECTS.—A project eligible to be carried out with a capital construction grant includes—

“(A) the removal, retrofit, or mitigation of an eligible facility; and

“(B) the replacement of an eligible facility with a new facility that—

“(i) restores community connectivity; and

“(ii) is—

“(I) sensitive to the context of the surrounding community; and

“(II) otherwise eligible for funding under title 23, United States Code.

“(4) SELECTION.—The Secretary shall—

“(A) solicit applications for capital construction grants; and

“(B) evaluate applications on the basis of—

“(i) the degree to which the project will improve mobility and access through the removal of barriers;

“(ii) the appropriateness of removing, retrofitting, or mitigating the eligible facility, based on current traffic patterns and the ability of the replacement facility and the regional transportation network to absorb transportation demand and provide safe mobility and access;

“(iii) the impact of the project on freight movement;

“(iv) the results of a cost-benefit analysis of the project;

“(v) the opportunities for inclusive economic development;

“(vi) the degree to which the eligible facility is out of context with the current or planned land use;

“(vii) the results of any feasibility study completed for the project; and

“(viii) the plan of the applicant for—

“(I) employing residents in the area impacted by the project through targeted hiring programs, in partnership with registered apprenticeship programs, if applicable; and

“(II) contracting and subcontracting with disadvantaged business enterprises.

“(5) MINIMUM AWARD AMOUNTS.—A capital construction grant shall be in an amount not less than \$5,000,000 per recipient.

“(6) FEDERAL SHARE.—

“(A) IN GENERAL.—Subject to subparagraph (B), a capital construction grant may not exceed 50 percent of the total cost of the project for which the grant is awarded.

“(B) MAXIMUM FEDERAL INVOLVEMENT.—Federal assistance other than a capital construction grant may be used to satisfy the non-Federal share of the cost of a project for which the grant is awarded, except that the total Federal assistance provided for a project for which the grant is awarded may not exceed 80 percent of the total cost of the project.

“(7) COMMUNITY ADVISORY BOARD.—

“(A) IN GENERAL.—To help achieve inclusive economic development benefits with respect to the project for which a grant is awarded, a grant recipient may form a community advisory board, which shall—

“(i) facilitate community engagement with respect to the project; and

“(ii) track progress with respect to commitments of the grant recipient to inclusive employment, contracting, and economic development under the project.

“(B) MEMBERSHIP.—If a grant recipient forms a community advisory board under subparagraph (A), the community advisory board shall be composed of representatives of—

“(i) the community;

“(ii) owners of businesses that serve the community;

“(iii) labor organizations that represent workers that serve the community; and

“(iv) State and local government.

“(e) REPORTS.—

“(1) USDOT REPORT ON PROGRAM.—Not later than January 1, 2026, 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 a report that evaluates the program under this section, including—

“(A) information about the level of applicant interest in planning grants, technical assistance under subsection (c)(3), and capital construction grants, including the extent to which overall demand exceeded available funds; and

“(B) for recipients of capital construction grants, the outcomes and impacts of the highway removal project, including—

“(i) any changes in the overall level of mobility, congestion, access, and safety in the project area; and

“(ii) environmental impacts and economic development opportunities in the project area.

“(2) GAO REPORT ON HIGHWAY REMOVALS.—Not later than 2 years after the date of enactment of this Act [Nov. 15, 2021], the Comptroller General of the United States shall issue a report that—

“(A) identifies examples of projects to remove highways using Federal highway funds;

“(B) evaluates the effect of highway removal projects on the surrounding area, including impacts to the local economy, congestion effects, safety outcomes, and impacts on the movement of freight and people;

“(C) evaluates the existing Federal-aid program eligibility under title 23, United States Code, for highway removal projects;

“(D) analyzes the costs and benefits of and barriers to removing underutilized highways that are nearing the end of their useful life compared to replacing or reconstructing the highway; and

“(E) provides recommendations for integrating those assessments into transportation planning and decision-making processes.

“(f) TECHNICAL ASSISTANCE.—Of the funds made available to carry out this section for planning grants, the Secretary may use not more than \$15,000,000 during the period of fiscal years 2022 through 2026 to provide technical assistance under subsection (c)(3).

“(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.”

CYBERSECURITY TOOL; CYBER COORDINATOR

Pub. L. 117–58, div. A, title I, § 11510, Nov. 15, 2021, 135 Stat. 592, provided that:

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Highway Administration.

“(2) CYBER INCIDENT.—The term ‘cyber incident’ has the meaning given the term ‘incident’ in section 3552 of title 44, United States Code.

“(3) TRANSPORTATION AUTHORITY.—The term ‘transportation authority’ means—

“(A) a public authority (as defined in section 101(a) of title 23, United States Code);

“(B) an owner or operator of a highway (as defined in section 101(a) of title 23, United States Code);

“(C) a manufacturer that manufactures a product related to transportation; and

“(D) a division office of the Federal Highway Administration.

“(b) CYBERSECURITY TOOL.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act [Nov. 15, 2021], the Ad-

ministrator shall develop a tool to assist transportation authorities in identifying, detecting, protecting against, responding to, and recovering from cyber incidents.

“(2) REQUIREMENTS.—In developing the tool under paragraph (1), the Administrator shall—

“(A) use the cybersecurity framework established by the National Institute of Standards and Technology and required by Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11739; relating to improving critical infrastructure cybersecurity) [6 U.S.C. 121 note];

“(B) establish a structured cybersecurity assessment and development program;

“(C) coordinate with the Transportation Security Administration and the Cybersecurity and Infrastructure Security Agency;

“(D) consult with appropriate transportation authorities, operating agencies, industry stakeholders, and cybersecurity experts; and

“(E) provide for a period of public comment and review on the tool.

“(c) DESIGNATION OF CYBER COORDINATOR.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall designate an office as a ‘cyber coordinator’, which shall be responsible for monitoring, alerting, and advising transportation authorities of cyber incidents.

“(2) REQUIREMENTS.—The office designated under paragraph (1) shall, in coordination with the Transportation Security Administration and the Cybersecurity and Infrastructure Security Agency—

“(A) provide to transportation authorities a secure method of notifying the Federal Highway Administration of cyber incidents;

“(B) share the information collected under subparagraph (A) with the Transportation Security Administration and the Cybersecurity and Infrastructure Security Agency;

“(C) monitor cyber incidents that affect transportation authorities;

“(D) alert transportation authorities to cyber incidents that affect those transportation authorities;

“(E) investigate unaddressed cyber incidents that affect transportation authorities; and

“(F) provide to transportation authorities educational resources, outreach, and awareness on fundamental principles and best practices in cybersecurity for transportation systems.”

FEDERAL EMPLOYEE COMPENSATION FOLLOWING HIGHWAY TRUST FUND EXPIRATION

Pub. L. 117–44, title I, § 108, Oct. 2, 2021, 135 Stat. 386, as amended by Pub. L. 117–52, § 3, Oct. 31, 2021, 135 Stat. 409, provided that:

“(a) IN GENERAL.—Each employee of the United States Government furloughed as a result of a covered lapse in Highway Trust Fund expenditure authority shall be paid for the period of the covered lapse, and each excepted employee who is required to perform work during a covered lapse shall be paid for such work, at the employee’s standard rate of pay, at the earliest date possible after the covered lapse ends, regardless of scheduled pay dates, and subject to availability of funds.

“(b) COVERED LAPSE.—In this section, the term ‘covered lapse in Highway Trust Fund expenditure authority’ means any lapse in authority to make expenditures from the Highway Trust Fund that begins on—

“(1) October 1, 2021, and ends on or before the date of enactment of this Act [Oct. 2, 2021]; or

“(2) November 1, 2021, and ends on or before the date of enactment of the Further Surface Transportation Extension Act of 2021 [Oct. 31, 2021].”

EXTENSION OF FEDERAL SURFACE TRANSPORTATION PROGRAMS

Pub. L. 117–44, § 2, title I, § 101, Oct. 2, 2021, 135 Stat. 382, 383, as amended by Pub. L. 117–52, § 2, Oct. 31, 2021, 135 Stat. 409, provided that:

“SEC. 2. DEFINITIONS.

“In this Act [see Short Title of 2021 Amendment note set out above]:

“(1) COVERED LAW.—The term ‘covered law’ means any of the following:

“(A) Titles I, II, III, IV, V, VI, VII, VIII, XI, and XXIV of the FAST Act (Public Law 114–94; 129 Stat. 1312) [see Tables for classification].

“(B) Division A, division B, subtitle A of title I and title II of division C, and division E of MAP-21 (Public Law 112–141; 126 Stat. 405) [see Tables for classification].

“(C) Titles I, II, and III of the SAFETEA-LU Technical Corrections Act of 2008 (Public Law 110–244; 122 Stat. 1572) [see Tables for classification].

“(D) Titles I, II, III, IV, V, and VI of SAFETEA-LU (Public Law 109–59; 119 Stat. 1144) [see Tables for classification].

“(E) Titles I, II, III, IV, and V of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 107) [see Tables for classification].

“(F) Titles II, III, and IV of the National Highway System Designation Act of 1995 (Public Law 104–59; 109 Stat. 568) [see Tables for classification].

“(G) Titles I, II, III, IV, V, and VI of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 1914) [see Tables for classification].

“(H) Title 23, United States Code.

“(I) Sections 116, 117, 330, 5128, 5505, and 24905 and chapters 53, 139, 303, 311, 313, 701, and 702 of title 49, United States Code.

“(J) Division B of the Continuing Appropriations Act, 2021 and Other Extensions Act (Public Law 116–159; 134 Stat. 725) [see Tables for classification].

“(2) EXTENSION END DATE.—The term ‘extension end date’ means December 3, 2021.

“(3) EXTENSION FRACTION.—The term ‘extension fraction’ means the quotient, expressed as a fraction, obtained by dividing—

“(A) the number of days in the extension period; by

“(B) 365.

“(4) EXTENSION PERIOD.—The term ‘extension period’ means the period that begins on October 1, 2021, and ends on the extension end date.

“(5) HIGHWAY ACCOUNT.—The term ‘Highway Account’ means the portion of the Highway Trust Fund that is not the Mass Transit Account.

“(6) MASS TRANSIT ACCOUNT.—The term ‘Mass Transit Account’ means the portion of the Highway Trust Fund established under section 9503(e)(1) of the Internal Revenue Code of 1986.

“(7) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(8) STATE.—The term ‘State’ means the 50 States and the District of Columbia.

“SEC. 101. EXTENSION OF FEDERAL SURFACE TRANSPORTATION PROGRAMS.

“(a) IN GENERAL.—Except as otherwise provided in this Act, the requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under the covered laws, which would otherwise expire on or cease to apply after September 30, 2021, are incorporated by reference and shall continue in effect through the extension end date.

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) HIGHWAY TRUST FUND.—

“(A) HIGHWAY ACCOUNT.—There is authorized to be appropriated from the Highway Account for fiscal year 2022, for each program with respect to which amounts are authorized to be appropriated from such account for fiscal year 2021, an amount equal to the extension fraction of the amount authorized for appropriation with respect to the program from such account under the covered laws for fiscal year 2021.

“(B) MASS TRANSIT ACCOUNT.—There is authorized to be appropriated from the Mass Transit Account

for fiscal year 2022, for each program with respect to which amounts are authorized to be appropriated from such account for fiscal year 2021, an amount equal to the extension fraction of the amount authorized for appropriation with respect to the program from such account under the covered laws for fiscal year 2021.

“(2) GENERAL FUND.—There is authorized to be appropriated for fiscal year 2022, for each program under the covered laws with respect to which amounts are authorized to be appropriated for fiscal year 2021 from an account other than the Highway Account or the Mass Transit Account, an amount that is not less than the extension fraction of the amount authorized for appropriation with respect to the program under the covered laws for fiscal year 2021.

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—Except as described in paragraph (2), amounts authorized to be appropriated for fiscal year 2022 with respect to a program under subsection (b) shall be distributed, administered, limited, and made available for obligation in the same manner as amounts authorized to be appropriated with respect to the program for fiscal year 2021 under the covered laws.

“(2) APPORTIONMENT TO STATES.—

“(A) IN GENERAL.—Notwithstanding subsections (c)(2) or (e)(1) of section 104 of title 23, United States Code, the Secretary—

“(i) shall not apportion on October 1, 2021, amounts authorized to be appropriated for fiscal year 2022 under subsection (b)(1)(A) with a respect to a program described in subparagraph (B); and

“(ii) shall not apportion such amounts before October 15, 2021.

“(B) PROGRAMS DESCRIBED.—A program referred to in subparagraph (A)(i) is a program—

“(i) for which amounts are authorized to be appropriated under subsection (b)(1)(A); and

“(ii) under which amounts described in clause (i) will be apportioned to States as described in section 104 of title 23, United States Code.

“(C) NOTICE TO STATES.—Section 104(e)(2) of title 23, United States Code, shall not apply for fiscal year 2022.

“(d) OBLIGATION LIMITATION.—

“(1) IN GENERAL.—Subject to paragraph (2), a program for which amounts are authorized to be appropriated under subsection (b)(1) shall be subject to a limitation on obligations for fiscal year 2022 in an amount equal to the extension fraction of the limitation on obligations for the program for fiscal year 2021 and in the same manner as the limitation applicable with respect to the program for fiscal year 2021.

“(2) FEDERAL-AID HIGHWAYS.—

“(A) IN GENERAL.—In distributing a limitation on obligations for Federal-aid highways for qualifying programs, the Secretary—

“(i) shall reserve, for qualifying programs, an amount of the limitation on obligations for Federal-aid highways equal to the amount calculated for the extension period for qualifying programs in effect on the date of enactment of this Act [Oct. 2, 2021]; and

“(ii) if H.R. 3684 (117th Congress) is enacted, may distribute the amount determined under clause (i) among qualifying programs (including any qualifying programs established pursuant to such H.R. 3684) in a manner determined to be appropriate by the Secretary.

“(B) CALCULATION.—Notwithstanding the enactment of H.R. 3684 (117th Congress), the Secretary shall calculate the amount under subparagraph (A)(i) in the manner described in section 120(a)(4) of division L of the Consolidated Appropriations Act, 2021 (Public Law 116–260) [23 U.S.C. 104 note].

“(C) DEFINITION OF QUALIFYING PROGRAM.—In this paragraph, the term ‘qualifying program’ means a program for Federal-aid highways that is—