

§ 619. Compliance with nationally recognized codes

(a) Building codes

Each building constructed or altered by the General Services Administration or any other Federal agency shall be constructed or altered, to the maximum extent feasible as determined by the Administrator or the head of such Federal agency, in compliance with one of the nationally recognized model building codes and with other applicable nationally recognized codes. Such other codes shall include, but not be limited to, electrical codes, fire and life safety codes, and plumbing codes, as determined appropriate by the Administrator. In carrying out this subsection, the Administrator or the head of the Federal agency authorized to construct or alter the building shall use the latest edition of the nationally recognized codes referred to in this subsection.

(b) Zoning laws

Each building constructed or altered by the General Services Administration or any other Federal agency shall be constructed or altered only after consideration of all requirements (other than procedural requirements) of—

- (1) zoning laws, and
- (2) laws relating to landscaping, open space, minimum distance of a building from the property line, maximum height of a building, historic preservation, and esthetic qualities of a building, and other similar laws,

of a State or a political subdivision of a State which would apply to the building if it were not a building constructed or altered by a Federal agency.

(c) Special rules

(1) State and local government consultation, review, and inspections

For purposes of meeting the requirements of subsections (a) and (b) of this section with respect to a building, the Administrator or the head of the Federal agency authorized to construct or alter the building shall—

(A) in preparing plans for the building, consult with appropriate officials of the State or political subdivision, or both, in which the building will be located;

(B) upon request, submit such plans in a timely manner to such officials for review by such officials for a reasonable period of time not exceeding 30 days; and

(C) permit inspection by such officials during construction or alteration of the building, in accordance with the customary schedule of inspections for construction or alteration of buildings in the locality, if such officials provide to the Administrator or the head of the Federal agency, as the case may be—

- (i) a copy of such schedule before construction of the building is begun; and
- (ii) reasonable notice of their intention to conduct any inspection before conducting such inspection.

(2) Limitation on State responsibilities

Nothing in this section shall impose an obligation on any State or political subdivision to take any action under paragraph (1).

(d) State and local government recommendations

Appropriate officials of a State or a political subdivision of a State may make recommendations to the Administrator or the head of the Federal agency authorized to construct or alter a building concerning measures necessary to meet the requirements of subsections (a) and (b) of this section. Such officials may also make recommendations to the Administrator or the head of the Federal agency concerning measures which should be taken in the construction or alteration of the building to take into account local conditions. The Administrator or the head of the Federal agency shall give due consideration to any such recommendations.

(e) Effect of noncompliance

No action may be brought against the United States and no fine or penalty may be imposed against the United States for failure to meet the requirements of subsection (a), (b), or (c) of this section or for failure to carry out any recommendation under subsection (d) of this section.

(f) Limitation on liability

The United States and its contractors shall not be required to pay any amount for any action taken by a State or a political subdivision of a State to carry out this section (including reviewing plans, carrying out on-site inspections, issuing building permits, and making recommendations).

(g) Applicability to certain buildings

This section applies to any project for construction or alteration of a building for which funds are first appropriated for a fiscal year beginning after September 30, 1989.

(h) National security waiver

This section shall not apply with respect to any building if the Administrator or the head of the Federal agency authorized to construct or alter the building determines that the application of this section to the building would adversely affect national security. A determination under this subsection shall not be subject to administrative or judicial review.

(Pub. L. 86-249, §21, as added Pub. L. 100-678, §6(a), Nov. 17, 1988, 102 Stat. 4051.)

NOTIFICATION OF FEDERAL AGENCIES

Section 6(b) of Pub. L. 100-678 provided that: "Not later than 180 days after the date of the enactment of this section [Nov. 17, 1988], the Administrator of General Services shall notify the heads of all Federal agencies of the requirements of section 21 of the Public Buildings Act of 1959 [40 U.S.C. 619]."

CHAPTER 13—NATIONAL CAPITAL TRANSPORTATION PROGRAM

§§ 651, 652. Repealed. Pub. L. 91-143, §8(a)(1), Dec. 9, 1969, 83 Stat. 322

Section 651, Pub. L. 86-669, title I, §102, July 14, 1960, 74 Stat. 537, stated Congressional findings and policy respecting National Capital transportation.

Section 652, Pub. L. 86-669, title I, §103, July 14, 1960, 74 Stat. 537, defined "National Capital region" and "government agency" and "government agencies". Article I of Title I (General Compact Provisions) of the Washington Metropolitan Area Transit Regulation Compact, set out in District of Columbia Code under

§1-2411, and Article III of Title III (the Washington Metropolitan Area Transit Authority Compact) of the Washington Metropolitan Area Transit Regulation Compact, set out in District of Columbia Code under §1-2431, define the Washington Metropolitan Area Transit District and Washington Metropolitan Area Transit Zone, respectively.

§ 661. Repealed. Pub. L. 91-143, § 8(a)(1), Dec. 9, 1969, 83 Stat. 322

Section, Pub. L. 86-669, title II, §201, July 14, 1960, 74 Stat. 538; Pub. L. 88-426, title III, §305(32), Aug. 14, 1964, 78 Stat. 426, established National Capital Transportation Agency, provided for appointment and described duties of an Administrator and Deputy Administrator, prohibited such officials from engaging in any other business, and such officials and any member of Advisory Board from having any financial interest in any public transportation corporation or corporation manufacturing or selling passenger transportation equipment or facilities. The Washington Metropolitan Area Transportation Authority Compact, set out in District of Columbia Code under §1-2431, provides in Article III of such Compact for the Washington Metropolitan Area Transit Authority as the successor agency and membership, compensation, conflict of interest, etc., provisions.

§ 662. Repealed. Pub. L. 89-774, § 5(b), Nov. 6, 1966, 80 Stat. 1353

Section, Pub. L. 86-669, title II, §202, July 14, 1960, 74 Stat. 538; Pub. L. 89-173, §7, Sept. 8, 1965, 79 Stat. 666, established an Advisory Board of National Capital Transportation Agency, composed of seven members, provided for their appointment and compensation, and prescribed their duties. The Board and the Agency were superseded by Board of Directors of Washington Metropolitan Area Transit Authority and such Authority, respectively.

§§ 663 to 665. Repealed. Pub. L. 91-143, § 8(a)(1), Dec. 9, 1969, 83 Stat. 322

Section 663, Pub. L. 86-669, title II, §203, July 14, 1960, 74 Stat. 539, authorized establishment of advisory and coordinating committees, required them to make recommendations concerning the problems and activities of the National Capital Transportation Agency, and provided for travel expenses of members of the committees.

Section 664, Pub. L. 86-669, title II, §204, July 14, 1960, 74 Stat. 539, related to transit development program for the National Capital, and required its preparation and conformance with general plan for development of National Capital region; specified special considerations; required preparation of proposals for implementing parts of program, transmittal of report to Congress, and authorization for execution of work; submission of a program; acquisition, construction, or operation of property, rights-of-way, or facilities, and submission of plan; research and surveys, and cooperation with Governmental agencies and private organizations; submission of recommendations for organization and financial arrangements for transportation, and consultations.

Section 665, Pub. L. 86-669, title II, §205, July 14, 1960, 74 Stat. 541; Pub. L. 87-367, title I, §103(4), Oct. 4, 1961, 75 Stat. 787, provided for functions, duties, and powers of the National Capital Transportation Agency under the National Capital Transportation Act of 1960, formerly classified to this chapter, and provided for exemption from taxation, agreements with Governmental agencies, condemnation proceedings, and appropriations.

§ 671. Repealed. Pub. L. 91-143, § 8(a)(1), Dec. 9, 1969, 83 Stat. 322

Section, Pub. L. 86-669, title III, §301, July 14, 1960, 74 Stat. 544, authorized State of Maryland, Common-

wealth of Virginia, and Commissioner of the District of Columbia to negotiate an interstate compact for solution of problems of regional character in the National Capital, including regional transportation facilities, required approval by Congress of the compact, required submission of recommendations by President for transfer of real and personal property, records, personnel, and other assets and liabilities to organization established under compact between Maryland and Virginia to assume functions and duties of National Capital Transportation Agency, provided for appointment, compensation, office space, and administrative services for Federal representative to compact negotiations, made available appropriations for payment of compensation and travel expenses, and authorized the State and Federal representatives to request information from the Agency and such Agency to cooperate with the compact representatives.

§ 672. Omitted

CODIFICATION

Section, Pub. L. 89-774, §3, Nov. 6, 1966, 80 Stat. 1352, which provided for transfer of functions and duties of National Capital Transportation Agency to Washington Metropolitan Area Transit Authority and effective date thereof; authorization for transfer of real and personal property, studies, reports, records, and other assets and liabilities, transfer of funds, authorization of appropriations; functions and duties of Agency pending transfer; advisory assistance and planning, engineering, and other services; and expenditures by Agency in performance of services for Authority, was omitted as not having general applicability and is set out in section 1-2438 of the District of Columbia Code.

§ 681. Omitted

CODIFICATION

Section, Pub. L. 89-173, §2, Sept. 8, 1965, 79 Stat. 663, which set out the congressional findings and purposes as to the National Capital Transit System, was omitted as not having general applicability and is set out in section 1-2421 of the District of Columbia Code.

§§ 682, 683. Repealed. Pub. L. 91-143, § 8(a)(2), Dec. 9, 1969, 83 Stat. 323

Section 682, Pub. L. 89-173, §3, Sept. 8, 1965, 79 Stat. 664; Pub. L. 90-220, Dec. 20, 1967, 81 Stat. 670, authorized the National Capital Transportation Agency to design, engineer, construct, equip, and take other necessary action for establishment of rail rapid transit lines and related facilities for the Nation's Capital, at cost limitation of \$431,000,000, excluding interest costs; required execution of work in accordance with plans and schedules, approval of construction within Capitol Grounds, coordination of construction work, private operation of facilities, advertisement and negotiation of contracts, protection of employees' interests, and labor standards; effect on damages of common carriers engaged in private transportation of persons; and impairment of protection accorded private bus companies.

The provisions of subsecs. (a), (b), (b)(1), and (b)(2) are covered in sections 3 and 3(a), 3(b)(1), 5(a), and 5(b) of the National Capital Transportation Act of 1969, Pub. L. 91-143, Dec. 9, 1969, 83 Stat. 320, 322, set out in sections 1-2452 and 1-2456 of the District of Columbia Code. The provisions of subsecs. (b)(3), (b)(4), and (c), (d), are covered by sections 51 and 54 (operation by contract or lease and selection of contractor) of Article XI (Operation of Facilities) and section 66 (operations) of Article XIV (Labor Policy); section 64 (construction) of Article XIV (Labor Policy); and section 57 (rights of private carriers unaffected) of Article XII (Coordination of Private and Public Facilities), respectively, of Washington Metropolitan Area Transit Authority Compact, set out under section 1-2431 of the District of Columbia Code.

Section 683, Pub. L. 89-173, §4, Sept. 8, 1965, 79 Stat. 665, made applicable the relocation assistance provisions of Pub. L. 88-629, Oct. 6, 1964, 78 Stat. 1004, classified to District of Columbia Code §§5-830 to 5-833. Article XV of the Washington Metropolitan Area Transportation Authority Compact, set out in District of Columbia Code under §1-2431, provides for relocation assistance.

§§ 684, 685. Omitted

CODIFICATION

Section 684, Pub. L. 89-173, §5(a), Sept. 8, 1965, 79 Stat. 665; Pub. L. 91-143, §8(b), Dec. 9, 1969, 83 Stat. 323, which authorized appropriations for the United States portion and the District of Columbia portion for establishment of the transit system under the National Capital Transportation Act of 1965, was omitted as not having general applicability and is set out in section 1-2422 of the District of Columbia Code.

Section 685, Pub. L. 89-173, §6, Sept. 8, 1965, 79 Stat. 666, which required an annual report to Congress of operations of the National Capital Transportation Agency under the National Capital Transportation Act of 1960. Section 24 of Article XII of Title II (Compact Regulatory Provisions) of the Washington Metropolitan Area Transit Regulation Compact, set out in District of Columbia Code under §1-2411, and sections 70 and 71 of Article XVI of Title III (the Washington Metropolitan Area Transit Authority Compact) of the Washington Metropolitan Area Transit Regulation Compact, set out in District of Columbia Code under §1-2431, require an annual report by the Washington Metropolitan Area Transit Commission and annual reports of audits, programs, operations, and finances by the Board of Directors of the Washington Metropolitan Area Transit Authority, respectively.

CHAPTER 14—SAFETY STANDARDS FOR MOTOR VEHICLES

Sec.	
701.	Prohibition on acquisition or purchase of motor vehicles by Federal Government unless equipped with passenger safety devices.
702.	Commercial standards for passenger safety devices; publication in Federal Register.
703.	Definitions.

§ 701. Prohibition on acquisition or purchase of motor vehicles by Federal Government unless equipped with passenger safety devices

No motor vehicle manufactured on or after the effective date of this section shall be acquired by purchase by the Federal Government for use by the Federal Government unless such motor vehicle is equipped with such reasonable passenger safety devices as the Administrator of General Services shall require which conform with standards prescribed by him in accordance with section 702 of this title.

(Pub. L. 88-515, §1, Aug. 30, 1964, 78 Stat. 696.)

REFERENCES IN TEXT

For the effective date of this section, referred to in text, see section 4 of Pub. L. 88-515, set out as an Effective Date note below.

EFFECTIVE DATE

Section 4 of Pub. L. 88-515 provided that: "This Act [enacting this chapter] shall take effect on the date of its enactment [Aug. 30, 1964] except that the first section of this Act [enacting this section] shall take effect one year and ninety days after the date of publication of commercial standards first established under section 2 of this Act [enacting section 702 of this title]. If such standards as so first established are thereafter changed,

such standards, as so changed, shall take effect one year and ninety days after the date of publication of such changed standards."

SHORT TITLE

Pub. L. 88-515, Aug. 30, 1964, 78 Stat. 696, which is classified generally to this chapter, is popularly known as the "Roberts Act".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 702 of this title.

§ 702. Commercial standards for passenger safety devices; publication in Federal Register

The Administrator of General Services shall prescribe and publish in the Federal Register commercial standards for such passenger safety devices as he may require under authority of section 701 of this title. The standards first established under this section shall be prescribed and published not later than one year from August 30, 1964.

(Pub. L. 88-515, §2, Aug. 30, 1964, 78 Stat. 696.)

CHANGE OF COMMERCIAL STANDARDS

Change of standards first established under this section effective one year and ninety days after the date of publication of such changed standards, see section 4 of Pub. L. 88-515, set out as an Effective Date note under section 701 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 701 of this title.

§ 703. Definitions

As used in this chapter—

- (1) The term "motor vehicle" means any vehicle, self-propelled or drawn by mechanical power, designed for use on the highways principally for the transportation of passengers except any vehicle designed or used for military field training, combat, or tactical purposes.
- (2) The term "Federal Government" includes the legislative, executive, and judicial branches of the Government of the United States, and the government of the District of Columbia.

(Pub. L. 88-515, §3, Aug. 30, 1964, 78 Stat. 696.)

CHAPTER 15—GOVERNMENT LOSSES IN SHIPMENT

Sec.	
721.	Rules and regulations for shipment of valuables.
722.	Fund for losses; appropriations.
722a.	Payment of Government losses in shipment.
723.	Claim for replacement.
724.	Government evidences of indebtedness held by United States Postal Service while agent for Treasury Department.
725.	Agreements of indemnity.
726.	Purchase of insurance.
727.	Presumption of lawful conduct.
728.	Rules and regulations.
729.	Definitions.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 39 section 310.

§ 721. Rules and regulations for shipment of valuables

As soon as practicable after July 8, 1937 the Secretary of the Treasury and the United States