

Subsec. (e). Pub. L. 97-424 redesignated as subsec. (e) that portion of former subsec. (c) relating to pedestrian walkways. Former subsec. (e) redesignated (h) and amended.

Subsec. (f). Pub. L. 97-424 redesignated as subsec. (f) that portion of former subsec. (c) relating to bicycle routes.

Subsec. (g). Pub. L. 97-424 redesignated former subsec. (d) as (g).

Subsec. (h). Pub. L. 97-424 redesignated former subsec. (e) as (h), substituted reference to subsecs. (a), (b), (e), and (f) of this section for reference to former subsecs. (a) and (c), and substituted provision that no State shall obligate more than \$4,500,000 for such projects in any fiscal year, except that the Secretary may, upon application, waive this limitation for a State for any fiscal year for provision that no State was to obligate more than \$2,500,000 for such projects for any fiscal year.

1978—Subsec. (a). Pub. L. 95-599 inserted provision relating to energy conservation and struck out requirement that such construction be in conjunction with Federal-aid highways.

1976—Subsec. (e). Pub. L. 94-280 substituted “\$45,000,000” for “\$40,000,000” and “\$2,500,000” for “\$2,000,000”.

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.

NONMOTORIZED TRANSPORTATION PILOT PROGRAM

Pub. L. 109-59, title I, § 1807, Aug. 10, 2005, 119 Stat. 1460, as amended by Pub. L. 110-244, title I, § 106, June 6, 2008, 122 Stat. 1602, provided that:

“(a) ESTABLISHMENT.—The Secretary [of Transportation] shall establish and carry out a nonmotorized transportation pilot program to construct, in the following 4 communities selected by the Secretary, a network of nonmotorized transportation infrastructure facilities, including sidewalks, bicycle lanes, and pedestrian and bicycle trails, that connect directly with transit stations, schools, residences, businesses, recreation areas, and other community activity centers:

- “(1) Columbia, Missouri.
- “(2) Marin County, California.
- “(3) Minneapolis, Minnesota.
- “(4) Sheboygan County, Wisconsin.

“(b) PURPOSE.—The purpose of the program shall be to demonstrate the extent to which bicycling and walking can carry a significant part of the transportation load, and represent a major portion of the transportation solution, within selected communities.

“(c) GRANTS.—In carrying out the program, the Secretary [of Transportation] may make a grant of \$6,250,000 per fiscal year for each of the communities set forth in subsection (a) to State, local, and regional agencies that the Secretary determines are suitably equipped and organized to carry out the objectives and requirements of this section. An agency that receives a grant under this section may suballocate grant funds to a nonprofit organization to carry out the program under this section.

“(d) STATISTICAL INFORMATION.—In carrying out the program, the Secretary [of Transportation] shall develop statistical information on changes in motor vehicle, nonmotorized transportation, and public transportation usage in communities participating in the program and assess how such changes decrease congestion and energy usage, increase the frequency of bicycling and walking, and promote better health and a cleaner environment.

“(e) REPORTS.—The Secretary [of Transportation] shall submit to Congress an interim report not later

than September 30, 2007, and a final report not later than September 30, 2010, on the results of the program.

“(f) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund (other than the Mass Transit Account), \$25,000,000 for each of fiscal years 2006 through 2009.

“(2) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this section shall be available for obligation in the same manner and to the same extent as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of the project shall be 100 percent, and the funds shall remain available until expended and shall not be transferable.

“(g) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects assisted under this subsection shall be treated as projects on a Federal-aid system under chapter 1 of title 23, United States Code.”

DESIGN GUIDANCE

Pub. L. 105-178, title I, § 1202(b), June 9, 1998, 112 Stat. 169, provided that:

“(1) IN GENERAL.—In implementing section 217(g) of title 23, United States Code, the Secretary, in cooperation with the American Association of State Highway and Transportation Officials, the Institute of Transportation Engineers, and other interested organizations, shall develop guidance on the various approaches to accommodating bicycles and pedestrian travel.

“(2) ISSUES TO BE ADDRESSED.—The guidance shall address issues such as the level and nature of the demand, volume, and speed of motor vehicle traffic, safety, terrain, cost, and sight distance.

“(3) RECOMMENDATIONS.—The guidance shall include recommendations on amending and updating the policies of the American Association of State Highway and Transportation Officials relating to highway and street design standards to accommodate bicyclists and pedestrians.

“(4) TIME PERIOD FOR DEVELOPMENT.—The guidance shall be developed within 18 months after the date of enactment of this Act [June 9, 1998].”

ENERGY CONSERVATION BICYCLE TRANSPORTATION PROGRAM; REPORT

Pub. L. 95-619, title VI, § 682, Nov. 9, 1978, 92 Stat. 3287, set forth findings respecting an energy conservation bicycle transportation program and required a study and report not more than one year after Nov. 9, 1978, by the Secretary of Transportation for bicycle use potential, etc.

BIKEWAY CONSTRUCTION PROJECTS

Section 141(a)-(e), (i) of Pub. L. 95-599, related to establishment by Secretary of design and construction standards for bikeway construction projects and to grants to States for bikeway construction projects, prior to repeal by Pub. L. 100-17, title I, § 133(e)(2), Apr. 2, 1987, 101 Stat. 173.

BIKEWAY DEMONSTRATION PROGRAM

Pub. L. 93-643, § 119, Jan. 4, 1975, 88 Stat. 2288, authorized grants to States for demonstration projects for construction of bikeways, prior to repeal by Pub. L. 100-17, title I, § 133(e)(2), Apr. 2, 1987, 101 Stat. 173.

§ 218. Alaska Highway

(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to Haines, the Secretary is authorized out of the funds appropriated for the purpose of this section to provide

for necessary reconstruction of such highway. Such appropriations shall remain available until expended. Notwithstanding any other provision of law, in addition to such funds, upon agreement with the State of Alaska, the Secretary is authorized to expend on such highway or the Alaska Marine Highway System any Federal-aid highway funds apportioned to the State of Alaska under this title at a Federal share of 100 per centum. Notwithstanding any other provision of law, any obligation limitation enacted for fiscal year 1983 or for any other fiscal year thereafter, including any portion of any other fiscal year thereafter, shall not apply to projects authorized by the preceding sentence. No expenditures shall be made for the construction of the portion of such highways that are in Canada until an agreement has been reached by the Government of Canada and the Government of the United States which shall provide, in part, that the Canadian Government—

(1) will provide, without participation of funds authorized under this title, all necessary right-of-way for the reconstruction of such highways;

(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with agreements between the United States and Canada; and

(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

(b) The survey and construction work undertaken in Canada pursuant to this section shall be under the general supervision of the Secretary.

(c) For purposes of this section, the term "Alaska Marine Highway System" includes all existing or planned transportation facilities and equipment in Alaska, including the lease, purchase, or construction of vessels, terminals, docks, floats, ramps, staging areas, parking lots, bridges and approaches thereto, and necessary roads.

(Added Pub. L. 93-87, title I, §127(a)(1), Aug. 13, 1973, 87 Stat. 264; amended Pub. L. 94-147, Dec. 12, 1975, 89 Stat. 803; Pub. L. 97-424, title I, §158, Jan. 6, 1983, 96 Stat. 2135; Pub. L. 105-277, div. A, §101(g) [title III, §316], Oct. 21, 1998, 112 Stat. 2681-439, 2681-468; Pub. L. 108-7, div. I, title III, §327, Feb. 20, 2003, 117 Stat. 413; Pub. L. 109-59, title IV, §4409, Aug. 10, 2005, 119 Stat. 1778.)

AMENDMENTS

2005—Subsec. (a). Pub. L. 109-59, §4409(1), struck out "prior to the date of the enactment of the reauthorization of the Transportation Equity Act for the 21st Century" before "shall not apply" in introductory provisions.

Subsec. (c). Pub. L. 109-59, §4409(2), added subsec. (c).

2003—Subsec. (a). Pub. L. 108-7 inserted "reauthorization of the" before "Transportation".

1998—Subsec. (a). Pub. L. 105-277, §101(g) [title III, §316(1)(A)], substituted "to Haines" for "to the south

Alaskan border" in first sentence, substituted "such highway or the Alaska Marine Highway System" for "such highway" in third sentence, substituted "any other fiscal year thereafter, including any portion of any other fiscal year thereafter, prior to the date of the enactment of the Transportation Equity Act for the 21st Century" for "any other fiscal year thereafter" in fourth sentence, substituted "construction of the portion of such highways that are in Canada until an agreement" for "construction of such highways until an agreement" in fifth sentence.

Subsec. (b). Pub. L. 105-277, §101(g) [title III, §316(2)], inserted "in Canada" after "undertaken".

1983—Subsec. (a). Pub. L. 97-424 inserted provision that notwithstanding any other provision of law, upon agreement with the State of Alaska, the Secretary is authorized to expend on the highway any Federal-aid highway funds apportioned to the State of Alaska under this title at a Federal share of 100 per centum, and that any obligation limitation enacted for fiscal year 1983 or for any other fiscal year thereafter shall not apply to such projects.

1975—Subsec. (a)(1). Pub. L. 94-147 struck out provision requiring that the right-of-way granted by the Canadian Government shall forever be held inviolate as part of such highways in public use.

ALASKAN ROADS STUDY; INVESTIGATION; REPORT TO CONGRESS

Pub. L. 94-280, title I, §151, May 5, 1976, 90 Stat. 448, provided that:

"(a) The Secretary of Transportation is authorized to undertake an investigation and study to determine the cost of, and the responsibility for, repairing the damage to Alaska highways that has been or will be caused by heavy truck traffic during construction of the trans-Alaska pipeline and to restore them to proper standards when construction is complete. The Secretary of Transportation shall report his initial findings to the Congress on or before September 30, 1976, and his final conclusions on rebuilding costs no later than three months after completion of pipeline construction.

"(b) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$200,000 for the purpose of making the study authorized by subsection (a) of this section."

APPROPRIATIONS AUTHORIZATION

Section 127(b) of Pub. L. 93-87 provided that: "For the purpose of completing necessary reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border there is authorized to be appropriated the sum of \$58,670,000 to be expended in accordance with the provisions of section 218 of title 23 of the United States Code."

[§ 219. Repealed. Pub. L. 100-17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173]

Section, added Pub. L. 93-643, §122(a), Jan. 4, 1975, 88 Stat. 2289; amended Pub. L. 94-280, title I, §135(a), May 5, 1976, 90 Stat. 441; Pub. L. 95-599, title I, §168(d), Nov. 6, 1978, 92 Stat. 2723; Pub. L. 96-106, §10(a), Nov. 9, 1979, 93 Stat. 798, related to projects for safer off-system roads.

CHAPTER 3—GENERAL PROVISIONS

Sec.

- 301. Freedom from tolls.
- 302. State transportation department.
- 303. Management systems.
- 304. Participation by small business enterprises.
- 305. Archeological and paleontological salvage.
- 306. Mapping.
- [307. Repealed.]
- 308. Cooperation with Federal and State agencies and foreign countries.