

chapter 1 of title 23, United States Code, except that the Federal share shall be 100 percent.

“(e) PROGRAM ADMINISTRATION.—

“(1) COMPETITION.—A party entering into a contract, cooperative agreement, or other transaction with the Secretary, or receiving a grant to perform research or provide technical assistance under subsections (d)(2)(A) and (d)(2)(D) shall be selected on a competitive basis, to the maximum extent practicable.

“(2) STRATEGIC PLAN.—The Secretary shall require each center to develop a multiyear strategic plan that describes—

“(A) the activities to be undertaken; and

“(B) how the work of the center is coordinated with the activities of the Federal Highway Administration and the various other research, development, and technology transfer activities authorized by this title [see Tables for classification]. Such plans shall be submitted to the Secretary by January 1, 2006, and each year thereafter.

“SEC. 5310. DEFINITIONS.

“In this subtitle [subtitle C (§§ 5301–5310) of title V of Pub. L. 109–59, enacting this section and section 513 of this title], the following definitions apply:

“(1) INCIDENT.—The term ‘incident’ means a crash, a natural disaster, workzone activity, special event, or other emergency road user occurrence that adversely affects or impedes the normal flow of traffic.

“(2) INTELLIGENT TRANSPORTATION INFRASTRUCTURE.—The term ‘intelligent transportation infrastructure’ means fully integrated public sector intelligent transportation system components, as defined by the Secretary [of Transportation].

“(3) INTELLIGENT TRANSPORTATION SYSTEM.—The term ‘intelligent transportation system’ means electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

“(4) NATIONAL ARCHITECTURE.—The term ‘national architecture’ means the common framework for interoperability that defines—

“(A) the functions associated with intelligent transportation system user services;

“(B) the physical entities or subsystems within which the functions reside;

“(C) the data interfaces and information flows between physical subsystems; and

“(D) the communications requirements associated with the information flows.

“(5) PROJECT.—The term ‘project’ means an undertaking to research, develop, or operationally test intelligent transportation systems or any other undertaking eligible for assistance under this subtitle.

“(6) STANDARD.—The term ‘standard’ means a document that—

“(A) contains technical specifications or other precise criteria for intelligent transportation systems that are to be used consistently as rules, guidelines, or definitions of characteristics so as to ensure that materials, products, processes, and services are fit for their purposes; and

“(B) may support the national architecture and promote—

“(i) the widespread use and adoption of intelligent transportation system technology as a component of the surface transportation systems of the United States; and

“(ii) interoperability among intelligent transportation system technologies implemented throughout the States.

“(7) STATE.—The term ‘State’ has the meaning given the term under section 101 of title 23, United States Code.

“(8) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—The term ‘transportation systems management and operations’ has the meaning given the term under section 101(a) of title 23, United States

Code [section 101(a) of this title does not define the term].”

#### ENVIRONMENTAL REVIEW OF ACTIVITIES THAT SUPPORT DEPLOYMENT OF INTELLIGENT TRANSPORTATION SYSTEMS

Pub. L. 109–59, title VI, §6010, Aug. 10, 2005, 119 Stat. 1877, provided that:

“(a) CATEGORICAL EXCLUSIONS.—Not later than one year after the date of enactment of this Act [Aug. 10, 2005], the Secretary [of Transportation] shall initiate a rulemaking process to establish, to the extent appropriate, categorical exclusions for activities that support the deployment of intelligent transportation infrastructure and systems from the requirement that an environmental assessment or an environmental impact statement be prepared under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) in compliance with the standards for categorical exclusions established by that Act [42 U.S.C. 4321 et seq.].

“(b) NATIONWIDE PROGRAMMATIC AGREEMENT.—

“(1) DEVELOPMENT.—The Secretary [of Transportation] shall develop a nationwide programmatic agreement governing the review of activities that support the deployment of intelligent transportation infrastructure and systems in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and the regulations of the Advisory Council on Historic Preservation.

“(2) CONSULTATION.—The Secretary shall develop the agreement under paragraph (1) in consultation with the National Conference of State Historic Preservation Officers and the Advisory Council on Historic Preservation established under title II of the National Historic Preservation Act (26 U.S.C. 470i et seq.) and after soliciting the views of other interested parties.

“(c) INTELLIGENT TRANSPORTATION INFRASTRUCTURE AND SYSTEMS DEFINED.—In this section, the term ‘intelligent transportation infrastructure and systems’ means intelligent transportation infrastructure and intelligent transportation systems, as such terms are defined in subtitle C of title V of this Act [subtitle C (§§ 5301–5310) of title V of Pub. L. 109–59, enacting this section and section 513 of this title and provisions set out as a note above].”

#### § 513. Use of funds for ITS activities

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

(1) ELIGIBLE ENTITY.—The term “eligible entity” means a State or local government, tribal government, transit agency, public toll authority, metropolitan planning organization, other political subdivision of a State or local government, or a multistate or multijurisdictional group applying through a single lead applicant.

(2) MULTIJURISDICTIONAL GROUP.—The term “multijurisdictional group” means a combination of State governments, local governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State that—

(A) have signed a written agreement to implement an activity that meets the grant criteria under this section; and

(B) is comprised of at least 2 members, each of whom is an eligible entity.

(b) PURPOSE.—The purpose of this section is to develop, administer, communicate, and promote the use of products of research, technology, and technology transfer programs.

(c) ITS ADOPTION.—

(1) INNOVATIVE TECHNOLOGIES AND STRATEGIES.—The Secretary shall encourage the de-

ployment of ITS technologies that will improve the performance of the National Highway System in such areas as traffic operations, emergency response, incident management, surface transportation network management, freight management, traffic flow information, and congestion management by accelerating the adoption of innovative technologies through the use of—

- (A) demonstration programs;
- (B) grant funding;
- (C) incentives to eligible entities; and
- (D) other tools, strategies, or methods that will result in the deployment of innovative ITS technologies.

(2) **COMPREHENSIVE PLAN.**—To carry out this section, the Secretary shall develop a detailed and comprehensive plan that addresses the manner in which incentives may be adopted, as appropriate, through the existing deployment activities carried out by surface transportation modal administrations.

(Added Pub. L. 109–59, title V, § 5302(a), Aug. 10, 2005, 119 Stat. 1805; amended Pub. L. 112–141, div. E, title III, § 53001, July 6, 2012, 126 Stat. 897.)

#### AMENDMENTS

2012—Pub. L. 112–141 amended section generally. Prior to amendment, section read as follows:

“(a) **IN GENERAL.**—For each fiscal year, not more than \$250,000 of the funds made available to carry out this subtitle C of title V of the SAFETEA–LU shall be used for intelligent transportation system outreach, public relations, displays, tours, and brochures.

“(b) **APPLICABILITY.**—Subsection (a) shall not apply to intelligent transportation system training, scholarships, or the publication or distribution of research findings, technical guidance, or similar documents.”

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

### § 514. Goals and purposes

(a) **GOALS.**—The goals of the intelligent transportation system program include—

- (1) enhancement of surface transportation efficiency and facilitation of intermodalism and international trade to enable existing facilities to meet a significant portion of future transportation needs, including public access to employment, goods, and services and to reduce regulatory, financial, and other transaction costs to public agencies and system users;
- (2) achievement of national transportation safety goals, including enhancement of safe operation of motor vehicles and nonmotorized vehicles and improved emergency response to collisions, with particular emphasis on decreasing the number and severity of collisions;
- (3) protection and enhancement of the natural environment and communities affected by surface transportation, with particular emphasis on assisting State and local governments to achieve national environmental goals;
- (4) accommodation of the needs of all users of surface transportation systems, including

operators of commercial motor vehicles, passenger motor vehicles, motorcycles, bicycles, and pedestrians (including individuals with disabilities); and

(5) enhancement of national defense mobility and improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters.

(b) **PURPOSES.**—The Secretary shall implement activities under the intelligent transportation system program, at a minimum—

- (1) to expedite, in both metropolitan and rural areas, deployment and integration of intelligent transportation systems for consumers of passenger and freight transportation;
- (2) to ensure that Federal, State, and local transportation officials have adequate knowledge of intelligent transportation systems for consideration in the transportation planning process;
- (3) to improve regional cooperation and operations planning for effective intelligent transportation system deployment;
- (4) to promote the innovative use of private resources in support of intelligent transportation system development;
- (5) to facilitate, in cooperation with the motor vehicle industry, the introduction of vehicle-based safety enhancing systems;
- (6) to support the application of intelligent transportation systems that increase the safety and efficiency of commercial motor vehicle operations;
- (7) to develop a workforce capable of developing, operating, and maintaining intelligent transportation systems;
- (8) to provide continuing support for operations and maintenance of intelligent transportation systems; and
- (9) to ensure a systems approach that includes cooperation among vehicles, infrastructure, and users.

(Added Pub. L. 112–141, div. E, title III, § 53002(a), July 6, 2012, 126 Stat. 898.)

#### EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

### § 515. General authorities and requirements

(a) **SCOPE.**—Subject to the provisions of this chapter, the Secretary shall conduct an ongoing intelligent transportation system program—

- (1) to research, develop, and operationally test intelligent transportation systems; and
- (2) to provide technical assistance in the nationwide application of those systems as a component of the surface transportation systems of the United States.

(b) **POLICY.**—Intelligent transportation system research projects and operational tests funded pursuant to this chapter shall encourage and not displace public-private partnerships or private sector investment in those tests and projects.

(c) **COOPERATION WITH GOVERNMENTAL, PRIVATE, AND EDUCATIONAL ENTITIES.**—The Secretary shall carry out the intelligent transpor-