

regulations governing toll bridges over navigable waters of United States and submit a report containing recommendations regarding action to be taken to assure reasonable nationwide tolls no later than July 1, 1974, except in the case of the toll bridge at Chester, Illinois, where the Secretary was directed to submit a similar report no later than Dec. 31, 1973, prior to repeal by Pub. L. 100-17, title I, §135(f), Apr. 2, 1987, 101 Stat. 174.

§ 527. Acquisition of interstate bridges by public agencies; amount of damages

After the completion of any interstate toll bridge constructed by an individual, firm, or corporation, as determined by the Secretary of Transportation, either of the States in which the bridge is located, or any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual costs of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

(Aug. 2, 1946, ch. 753, title V, §504, 60 Stat. 848; Pub. L. 97-449, §2(d)(1), Jan. 12, 1983, 96 Stat. 2440.)

AMENDMENTS

1983—Pub. L. 97-449 substituted “Secretary of Transportation” for “Secretary of War”. See Transfer of Functions note below.

TRANSFER OF FUNCTIONS

Section 6(g)(6)(C) of Pub. L. 89-670 transferred functions, powers, and duties of Secretary of the Army [formerly War] and other offices and officers of Department of the Army [formerly War] under this subchapter to extent that they relate generally to location and clearances of bridges and causeways in navigable waters of United States to Secretary of Transportation. Pub. L. 97-449 amended this section to reflect transfer made by section 6(g)(6)(C) of Pub. L. 89-670, and repealed section 6(g)(6)(C).

§ 528. Statement of construction costs of privately owned interstate bridges; investigation of costs; conclusiveness of findings; review

Within ninety days after the completion of a privately owned interstate toll bridge, the owner shall file with the Secretary of Transportation and with the highway departments of the States in which the bridge is located, a sworn itemized statement showing the actual original cost of constructing the bridge and its ap-

proaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of Transportation may, and upon request of a highway department shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge. For the purpose of such investigation the said individual, firm, or corporation, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of Transportation as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 527 of this title subject only to review in a court of equity for fraud or gross mistake.

(Aug. 2, 1946, ch. 753, title V, §505, 60 Stat. 848; Pub. L. 97-449, §2(d)(1), Jan. 12, 1983, 96 Stat. 2440.)

AMENDMENTS

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§ 529. Repealed. Pub. L. 100-17, title I, §135(e), Apr. 2, 1987, 101 Stat. 174

Section, acts Aug. 2, 1946, ch. 753, title V, §506, 60 Stat. 848; May 25, 1948, ch. 336, 62 Stat. 267, related to adjusting rates of tolls charged on an interstate bridge constructed or taken over by State or political subdivision thereof to provide fund to pay reasonable costs of maintaining and operating such bridge and a sinking fund to amortize amount paid for such bridge, with such bridge to be operated and maintained free of tolls after a sinking fund sufficient for such amortization had been provided.

§ 530. Bridges included and excluded

The provisions of this subchapter shall apply only to bridges over navigable waters of the United States, the construction of which is approved after August 2, 1946, under the provisions of this subchapter; and the provisions of the first proviso of section 401 of this title, and the provisions of sections 491 to 494 and 495 to 498 of this title, shall not apply to such bridges.

(Aug. 2, 1946, ch. 753, title V, §507, 60 Stat. 849.)

§ 531. International bridges

This subchapter shall not be construed to authorize the construction of any bridge which will connect the United States, or any Territory