

Administration is to foster, promote, and develop the merchant maritime industry of the United States.”

2011—Subsec. (h). Pub. L. 111-383 made technical amendment to directory language of Pub. L. 111-84, § 3508(1). See 2009 Amendment note below.

2009—Subsec. (h). Pub. L. 111-84, § 3508(1), as amended by Pub. L. 111-383, substituted “Contracts, Cooperative Agreements, and Audits” for “Contracts and Audits” in heading.

Subsec. (h)(1). Pub. L. 111-84, § 3508(2), (3), substituted “Contracts and cooperative agreements” for “Contracts” in heading and “make contracts and cooperative agreements” for “make contracts” in introductory provisions.

Subsec. (h)(1)(A). Pub. L. 111-84, § 3508(4), (5), substituted “section,” for “section and” and “title 46, and all other Maritime Administration programs;” for “title 46;”

Subsecs. (i), (j). Pub. L. 111-84, § 3508(6), added subsec. (i) and redesignated former subsec. (i) as (j).

2006—Pub. L. 109-304 amended section generally. Prior to amendment, section read as follows:

“(a) The Maritime Administration transferred by section 2 of the Maritime Act of 1981 (46 App. U.S.C. 1601) is an administration in the Department of Transportation.

“(b) The Administrator of the Administration appointed under section 4 of the Maritime Act of 1981 (46 App. U.S.C. 1603) reports directly to the Secretary of Transportation.”

1994—Pub. L. 103-272 inserted “App.” after “(46” in subsecs. (a) and (b).

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-383, div. A, title X, § 1075(d), Jan. 7, 2011, 124 Stat. 4372, provided that the amendment by section 1075(d)(26) is effective as of Oct. 28, 2009, and as if included in Pub. L. 111-84 as enacted.

REFERENCES IN OTHER FEDERAL LAWS TO FUNCTIONS OR OFFICES TRANSFERRED

Pub. L. 97-31, § 10, Aug. 6, 1981, 95 Stat. 153, provided that: “With respect to any function or office transferred by this Act [see Tables for classification] and exercised on or after the effective date of this Act [Aug. 6, 1981], reference in any other Federal law to the Maritime Administration or any of its predecessor agencies or any officer or office the functions of which are so transferred shall be deemed to refer to the Secretary of Transportation, other official, or component of the Department of Transportation to which this Act transfers such functions.”

EXPANSION OF THE MARINE VIEW SYSTEM

Pub. L. 111-84, div. C, title XXXV, § 3516, Oct. 28, 2009, 123 Stat. 2725, provided that:

“(a) DEFINITIONS.—In this section:

“(1) MARINE TRANSPORTATION SYSTEM.—The term ‘marine transportation system’ means the navigable water transportation system of the United States, including the vessels, ports (and intermodal connections thereto), and shipyards and other vessel repair facilities that are components of that system.

“(2) MARINE VIEW SYSTEM.—The term ‘Marine View system’ means the information system of the Maritime Administration known as Marine View.

“(b) PURPOSES.—The purposes of this section are—

“(1) to expand the Marine View system; and

“(2) to provide support for the strategic requirements of the marine transportation system and its contribution to the economic viability of the United States.

“(c) EXPANSION OF MARINE VIEW SYSTEM.—To accomplish the purposes of this section, the Secretary of Transportation shall expand the Marine View system so that such system is able to identify, collect, integrate, secure, protect, store, and securely distribute throughout the marine transportation system information that—

“(1) provides access to many disparate marine transportation system data sources;

“(2) enables a system-wide view of the marine transportation system;

“(3) fosters partnerships between the Government of the United States and private entities;

“(4) facilitates accurate and efficient modeling of the entire marine transportation system environment;

“(5) monitors and tracks threats to the marine transportation system, including areas of severe weather or reported piracy; and

“(6) provides vessel tracking and rerouting, as appropriate, to ensure that the economic viability of the United States waterways is maintained.”

§ 110. Saint Lawrence Seaway Development Corporation

(a) The Saint Lawrence Seaway Development Corporation established under section 1 of the Act of May 13, 1954 (33 U.S.C. 981), is subject to the direction and supervision of the Secretary of Transportation.

(b) The Administrator of the Corporation appointed under section 2 of the Act of May 13, 1954 (33 U.S.C. 982), reports directly to the Secretary. (Pub. L. 97-449, § 1(b), Jan. 12, 1983, 96 Stat. 2418; Pub. L. 103-272, § 4(j)(5)(A), July 5, 1994, 108 Stat. 1366.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
110(a) .....	(no source).	
110(b) .....	33:981 (note).	Oct. 15, 1966, Pub. L. 89-670, § 8(g)(2), 80 Stat. 943.

Subsection (a) is included to provide in chapter 1 of the revised title a complete list of the organizational units established by law that are in the Department of Transportation or are subject to the direction and supervision of the Secretary of Transportation.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-272 substituted “Saint Lawrence” for “St. Lawrence”.

§ 111. Repealed. Pub. L. 112-141, div. E, title II, § 5201(c)(1), July 6, 2012, 126 Stat. 895]

Section, added Pub. L. 102-240, title VI, § 6006(a), Dec. 18, 1991, 105 Stat. 2172; amended Pub. L. 104-287, § 5(2), Oct. 11, 1996, 110 Stat. 3389; Pub. L. 104-324, title XI, § 1131, Oct. 19, 1996, 110 Stat. 3985; Pub. L. 105-130, § 4(b)(1), Dec. 1, 1997, 111 Stat. 2556; Pub. L. 105-178, title V, § 5109(a), June 9, 1998, 112 Stat. 437; Pub. L. 108-426, § 3(a), (b), Nov. 30, 2004, 118 Stat. 2424, 2425; Pub. L. 109-59, title V, § 5601(a), Aug. 10, 2005, 119 Stat. 1833, established the Bureau of Transportation Statistics. See chapter 63 of this title.

EFFECTIVE DATE OF REPEAL

Repeal 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 Title 23, Highways.

§ 112. Research and Innovative Technology Administration

(a) ESTABLISHMENT.—The Research and Innovative Technology Administration shall be an administration in the Department of Transportation.

(b) ADMINISTRATOR.—

(1) APPOINTMENT.—The Administration shall be headed by an Administrator who shall be

appointed by the President, by and with the advice and consent of the Senate.

(2) REPORTING.—The Administrator shall report directly to the Secretary.

(c) DEPUTY ADMINISTRATOR.—The Administration shall have a Deputy Administrator who shall be appointed by the Secretary of Transportation. The Deputy Administrator shall carry out duties and powers prescribed by the Administrator.

(d) POWERS AND DUTIES OF THE ADMINISTRATOR.—The Administrator shall carry out—

(1) powers and duties prescribed by the Secretary for—

(A) coordination, facilitation, and review of the Department's research and development programs and activities;

(B) advancement, and research and development, of innovative technologies, including intelligent transportation systems;

(C) comprehensive transportation statistics research, analysis, and reporting;

(D) education and training in transportation and transportation-related fields; and

(E) activities of the Volpe National Transportation Center; and

(2) other powers and duties prescribed by the Secretary.

(e) ADMINISTRATIVE AUTHORITIES.—The Administrator may enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons—

(1) to conduct research into transportation service and infrastructure assurance; and

(2) to carry out other research activities of the Administration.

(f) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2013 and 2014, the Administrator is authorized to expend not more than 1/2 percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Research and Innovative Technology Administration for the coordination, evaluation, and oversight of the programs administered by the Administration.

(g) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—To encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology, the Administrator may carry out, on a cost-shared basis, collaborative research and development with—

(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

(B) Federal laboratories; and

(C) other Federal agencies.

(2) COOPERATION, GRANTS, CONTRACTS, AND AGREEMENTS.—Notwithstanding any other provision of law, the Administrator may directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler

Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

(3) FEDERAL SHARE.—

(A) IN GENERAL.—Subject to subparagraph (B), the Federal share of the cost of an activity carried out under paragraph (2) shall not exceed 50 percent.

(B) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

(C) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in subparagraph (A).

(4) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this subsection, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

(5) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.

(Added Pub. L. 102-508, title IV, §401(a), Oct. 24, 1992, 106 Stat. 3310; amended Pub. L. 103-429, §6(1), Oct. 31, 1994, 108 Stat. 4378; Pub. L. 108-426, §4(a), Nov. 30, 2004, 118 Stat. 2425; Pub. L. 109-59, title VII, §7301, Aug. 10, 2005, 119 Stat. 1914; Pub. L. 112-141, div. E, title II, §52012, July 6, 2012, 126 Stat. 896.)

#### REFERENCES IN TEXT

The Stevenson-Wydler Technology Innovation Act of 1980, referred to in subsec. (g)(4), is Pub. L. 96-480, Oct. 21, 1980, 94 Stat. 2311, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

#### AMENDMENTS

2012—Subsecs. (f), (g). Pub. L. 112-141 added subsecs. (f) and (g).

2005—Subsec. (e). Pub. L. 109-59 added subsec. (e).

2004—Pub. L. 108-426, §4(a)(1), substituted "Research and Innovative Technology Administration" for "Research and Special Programs Administration" in section catchline.

Subsec. (a). Pub. L. 108-426, §4(a)(2), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows: "There is established in the Department of Transportation a Research and Special Programs Administration."

Subsec. (d). Pub. L. 108-426, §4(a)(3), added subsec. (d) and struck out heading and text of former subsec. (d)

which related to the responsibilities of the Administrator of the Research and Special Programs Administration.

Subsec. (e). Pub. L. 108-426, §4(a)(4), struck out heading and text of subsec. (e). Text read as follows: "Nothing in this section shall affect any delegation of authority, regulation, order, approval, exemption, waiver, contract, or other administrative act of the Secretary with respect to laws administered through the Research and Special Programs Administration of the Department of Transportation on October 24, 1992."

1994—Subsec. (e). Pub. L. 103-429 substituted "October 24, 1992" for "the date of the enactment of this section".

#### 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 Title 23, Highways.

#### NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAMS ADMINISTERED BY SECRETARY OF TRANSPORTATION

Pub. L. 108-426, §4(b), Nov. 30, 2004, 118 Stat. 2425, provided that:

"(1) IN GENERAL.—Nothing in this Act [see Short Title of 2004 Amendment note set out under section 101 of this title] shall grant any authority to the Research and Innovative Technology Administration over research and other programs, activities, standards, or regulations administered by the Secretary of Transportation through the National Highway Traffic Safety Administration.

"(2) APPLICABILITY.—Paragraph (1) shall not apply to the research and other programs, activities, standards, or regulations provided for in highway and traffic safety programs, administered by the Secretary through the National Highway Traffic Safety Administration, in title 23, United States Code, and chapter 303 of title 49, United States Code, as in effect on the date of enactment of this Act [Nov. 30, 2004]."

#### TRANSFER OF DUTIES AND POWERS OF RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

Pub. L. 108-426, §4(d), Nov. 30, 2004, 118 Stat. 2426, provided that: "The authority of the Research and Special Programs Administration, other than authority exercised under chapters 51, 57, 61, 601, and 603 of title 49, United States Code, is transferred to the Administrator of the Research and Innovative Technology Administration."

For transfer of authority of the Research and Special Programs Administration exercised under chapters 51, 57, 61, 601, and 603 of this title to the Administrator of the Pipeline and Hazardous Materials Safety Administration, see section 2(b) of Pub. L. 108-426, set out as a note under section 108 of this title.

#### DEVELOPMENT OF UNDERGROUND UTILITY LOCATION TECHNOLOGIES

Pub. L. 102-508, title III, §306, Oct. 24, 1992, 106 Stat. 3309, provided that:

"(a) IN GENERAL.—The Secretary of Transportation shall carry out a research and development program on underground utility location technologies.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$500,000 for fiscal years beginning after September 30, 1992. Such sums shall remain available until expended."

### § 113. Federal Motor Carrier Safety Administration

(a) IN GENERAL.—The Federal Motor Carrier Safety Administration shall be an administration of the Department of Transportation.

(b) SAFETY AS HIGHEST PRIORITY.—In carrying out its duties, the Administration shall consider

the assignment and maintenance of safety as the highest priority, recognizing the clear intent, encouragement, and dedication of Congress to the furtherance of the highest degree of safety in motor carrier transportation.

(c) ADMINISTRATOR.—The head of the Administration shall be the Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be an individual with professional experience in motor carrier safety. The Administrator shall report directly to the Secretary of Transportation.

(d) DEPUTY ADMINISTRATOR.—The Administration shall have a Deputy Administrator appointed by the Secretary, with the approval of the President. The Deputy Administrator shall carry out duties and powers prescribed by the Administrator.

(e) CHIEF SAFETY OFFICER.—The Administration shall have an Assistant Federal Motor Carrier Safety Administrator appointed in the competitive service by the Secretary, with the approval of the President. The Assistant Administrator shall be the Chief Safety Officer of the Administration. The Assistant Administrator shall carry out the duties and powers prescribed by the Administrator.

(f) POWERS AND DUTIES.—The Administrator shall carry out—

(1) duties and powers related to motor carriers or motor carrier safety vested in the Secretary by chapters 5, 51, 55, 57, 59, 133 through 149, 311, 313, 315, and 317 and by section 18 of the Noise Control Act of 1972 (42 U.S.C. 4917; 86 Stat. 1249-1250); except as otherwise delegated by the Secretary to any agency of the Department of Transportation other than the Federal Highway Administration, as of October 8, 1999; and

(2) additional duties and powers prescribed by the Secretary.

(g) LIMITATION ON TRANSFER OF POWERS AND DUTIES.—A duty or power specified in subsection (f)(1) may only be transferred to another part of the Department when specifically provided by law.

(h) EFFECT OF CERTAIN DECISIONS.—A decision of the Administrator involving a duty or power specified in subsection (f)(1) and involving notice and hearing required by law is administratively final.

(i) CONSULTATION.—The Administrator shall consult with the Federal Highway Administrator and with the National Highway Traffic Safety Administrator on matters related to highway and motor carrier safety.

(Added Pub. L. 106-159, title I, §101(a), Dec. 9, 1999, 113 Stat. 1750.)

#### EFFECTIVE DATE

Section effective Jan. 1, 2000, see section 107(a) of Pub. L. 106-159, set out as an Effective Date of 1999 Amendment note under section 104 of this title.

#### FINDINGS

Pub. L. 106-159, §3, Dec. 9, 1999, 113 Stat. 1749, provided that: "Congress makes the following findings:

"(1) The current rate, number, and severity of crashes involving motor carriers in the United States are unacceptable.

"(2) The number of Federal and State commercial motor vehicle and operator inspections is insufficient