

The Intermodal Surface Transportation Efficiency Act of 1991, referred to in subsec. (e), is Pub. L. 102-240, Dec. 18, 1991, 105 Stat. 1914. For complete classification of this Act to the Code, see Short Title of 1991 Amendment note set out under section 101 of Title 49, Transportation, and Tables.

The National Environmental Policy Act of 1969, referred to in subsec. (g), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

CODIFICATION

Section, as added by Pub. L. 109-59, consists of text of Pub. L. 97-424, title I, §165, Jan. 6, 1983, 96 Stat. 2136; Pub. L. 98-229, §10, Mar. 9, 1984, 98 Stat. 57; Pub. L. 100-17, title I, §§133(a)(6), 337(a)(1), (b), (c), Apr. 2, 1987, 101 Stat. 171, 241; Pub. L. 102-240, title I, §1048, title III, §3003(b), Dec. 18, 1991, 105 Stat. 1999, 2088; Pub. L. 103-272, §4(r), July 5, 1994, 108 Stat. 1371; Pub. L. 103-429, §7(a)(3)(E), Oct. 31, 1994, 108 Stat. 4389, which was formerly set out as a note under section 101 of this title, and was repealed by Pub. L. 109-59, title I, §1903(d), Aug. 10, 2005, 119 Stat. 1465.

PRIOR PROVISIONS

A prior section 313, Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 915, authorized the Secretary to cooperate with State highway departments and other agencies in the promotion of highway safety and authorized the expenditure of \$150,000 out of the administrative funds made available in accordance with section 104(a) of this title for the purposes of this section, prior to repeal by Pub. L. 89-564, title I, §102(a), Sept. 9, 1966, 80 Stat. 734. See section 401 et seq. of this title.

AMENDMENTS

2012—Subsec. (g). Pub. L. 112-141 added subsec. (g).
2005—Subsec. (a). Pub. L. 109-59, §1903(c)(1), substituted “to carry out the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title” for “by this Act or by any Act amended by this Act or, after the date of enactment of this Act, any funds authorized to be appropriated to carry out this Act, title 23, United States Code, or the Surface Transportation Assistance Act of 1978”.

Subsec. (b)(3), (4). Pub. L. 109-59, §1903(c)(2), redesignated par. (4) as (3).

Subsec. (d). Pub. L. 109-59, §1903(c)(3), substituted “the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title that” for “this Act, the Surface Transportation Assistance Act of 1978 or title 23, United States Code, which”.

Subsec. (e) to (g). Pub. L. 109-59, §1903(c)(4), (5), which directed amendment of this section by striking subsec. (e) and redesignating subsections. (f) and (g) as (e) and (f), respectively, was executed by making the redesignations and by striking out two subsections. (e), to reflect the probable intent of Congress. The first subsec. (e) based on subsec. (e) of section 165 of Pub. L. 97-424, as originally enacted, repealed section 401 of the Surface Transportation Assistance Act of 1978, Pub. L. 95-599. The second subsec. (e) based on subsec. (e) of section 165 of Pub. L. 97-424, as added by Pub. L. 102-240, §1048(b), related to report on purchases from foreign entities waived under subsec. (b) in fiscal years 1992 and 1993.

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.

BUY AMERICA WAIVER NOTIFICATION AND ANNUAL REPORTS

Pub. L. 112-55, div. C, title I, §122, Nov. 18, 2011, 125 Stat. 654, provided that: “Not less than 15 days prior to

waiving, under his statutory authority, any Buy America requirement for Federal-aid highway projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 111-117, div. A, title I, §123, Dec. 16, 2009, 123 Stat. 3048.

Pub. L. 111-8, div. I, title I, §126, Mar. 11, 2009, 123 Stat. 928.

Pub. L. 110-161, div. K, title I, §130, Dec. 26, 2007, 121 Stat. 2389.

Pub. L. 110-244, title I, §117, June 6, 2008, 122 Stat. 1607, provided that:

“(a) WAIVER NOTIFICATION.—

“(1) IN GENERAL.—If the Secretary of Transportation makes a finding under section 313(b) of title 23, United States Code, with respect to a project, the Secretary shall—

“(A) publish in the Federal Register, before the date on which such finding takes effect, a detailed written justification as to the reasons that such finding is needed; and

“(B) provide notice of such finding and an opportunity for public comment on such finding for a period of not to exceed 60 days.

“(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in paragraph (1) shall be construed to require the effective date of a finding referred to in paragraph (1) to be delayed until after the close of the public comment period referred to in paragraph (1)(B).

“(b) ANNUAL REPORTS.—Not later than February 1 of each year beginning after the date of enactment of this Act [June 6, 2008], the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the projects for which the Secretary made findings under section 313(b) of title 23, United States Code, during the preceding calendar year and the justifications for such findings.”

§ 314. Relief of employees in hazardous work

The Secretary is authorized in an emergency to use appropriations to the Department of Transportation for carrying out the provisions of this title for medical supplies, services, and other assistance necessary for the immediate relief of employees of the Federal Highway Administration engaged in hazardous work.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 915; Pub. L. 93-87, title I, §152(5), (6), Aug. 13, 1973, 87 Stat. 276.)

AMENDMENTS

1973—Pub. L. 93-87 substituted “Department of Transportation” for “Department of Commerce” and “Federal Highway Administration” for “Bureau of Public Roads”.

§ 315. Rules, regulations, and recommendations

Except as provided in sections 202(a)(5), 203(a)(3), and 205(a) of this title, the Secretary is authorized to prescribe and promulgate all needful rules and regulations for the carrying out of the provisions of this title. The Secretary may make such recommendations to the Congress and State transportation departments as he deems necessary for preserving and protecting the highways and insuring the safety of traffic thereon.