

“(2) ensure that placement of the debris complies with applicable law; and

“(3) assume all future legal responsibility arising from the placement of the debris, which may include entering into an agreement to hold the owner of the demolished bridge or overpass harmless in any liability action.

“(c) DEFINITION.—In this section, the term ‘beneficial use’ means the application of the debris for purposes of shore erosion control or stabilization, ecosystem restoration, and marine habitat creation.”

HIGHWAY TIMBER BRIDGE RESEARCH AND DEMONSTRATION PROGRAM

Pub. L. 102-240, title I, §1039, Dec. 18, 1991, 105 Stat. 1990, as amended by Pub. L. 102-388, title IV, §408, Oct. 6, 1992, 106 Stat. 1564, authorized the Secretary to make grants to entities for research and construction of timber bridges and other timber highway structures and authorized appropriations for fiscal years 1992 to 1997.

FEASIBILITY OF INTERNATIONAL BORDER HIGHWAY INFRASTRUCTURE DISCRETIONARY PROGRAM

Pub. L. 102-240, title I, §1089, Dec. 18, 1991, 105 Stat. 2023, directed Secretary of Transportation to conduct a study of advisability and feasibility of establishing an international border highway infrastructure discretionary program and, not later than Sept. 30, 1993, transmit to Congress a report on results of the study, together with any recommendations.

HISTORIC BRIDGES; CONGRESSIONAL FINDINGS AND DECLARATIONS

Pub. L. 100-17, title I, §123(f)(1), Apr. 2, 1987, 101 Stat. 163, provided that: “Congress hereby finds and declares it to be in the national interest to encourage the rehabilitation, reuse and preservation of bridges significant in American history, architecture, engineering and culture. Historic bridges are important links to our past, serve as safe and vital transportation routes in the present, and can represent significant resources for the future.”

STUDY AND RECOMMENDATIONS BY TRANSPORTATION RESEARCH BOARD ON EFFECTS OF BRIDGE PROGRAM ON PRESERVATION AND REHABILITATION OF HISTORIC BRIDGES

Pub. L. 100-17, title I, §123(f)(3), Apr. 2, 1987, 101 Stat. 163, provided for a study and recommendations by the Transportation Research Board on the preservation and rehabilitation of historic bridges and required the Board to submit a report on the study and recommendations.

STUDY OF HIGHWAY BRIDGES WHICH CROSS RAIL LINES; REPORT

Pub. L. 100-17, title I, §160, Apr. 2, 1987, 101 Stat. 212, directed Secretary to conduct a comprehensive study and investigation of improvement and maintenance needs for highway bridges which cross rail lines and whose ownership has been disputed and, not later than 30 months after Apr. 2, 1987, submit to Congress a report on the study and investigation along with recommendations on how the bridge needs could best be addressed on a long term basis in a cost-effective manner.

FOUR-LANE BRIDGES

Pub. L. 97-424, title I, §130, Jan. 6, 1983, 96 Stat. 2118, authorized funds to complete construction of a four-lane bridge in certain cases where funds to construct a two-lane bridge had been authorized by a law enacted between Jan. 1, 1970, and Jan. 6, 1983.

DISCRETIONARY BRIDGE CRITERIA

Pub. L. 97-424, title I, §161, Jan. 6, 1983, 96 Stat. 2135, as amended by Pub. L. 100-17, title I, §123(h), Apr. 2, 1987, 101 Stat. 164, required the Secretary to develop a selection process and issue a final regulation no later

than 6 months after Jan. 6, 1983, regarding funding priority of discretionary bridges.

TRANSFER OF DISCRETIONARY BRIDGE FUNDS

Pub. L. 96-106, §8(b), Nov. 9, 1979, 93 Stat. 797, provided for the transfer of discretionary bridge funds authorized under subsec. (g) of this section for fiscal year 1980 to a State's apportionment under former section 104(b)(6) of this title to repay funds obligated under section 104(b)(6) between June 1 and July 31, 1979, for bridge projects which are eligible for funding by virtue of the amendment of subsec. (g) of this section by section 8(a) of Pub. L. 96-106.

TIME FOR COMPLETION OF INVENTORY AND CLASSIFICATION OF HIGHWAY BRIDGES

Pub. L. 95-599, title I, §124(c), Nov. 6, 1978, 92 Stat. 2705, directed Secretary of Transportation to complete the requirements of subsec. (c) of this section, as amended by subsec. (a) of section 124 of Pub. L. 95-599, not later than the last day of the second full calendar year which begins after Nov. 6, 1978.

ACCELERATION OF BRIDGE PROJECTS; OHIO RIVER BRIDGE FUND REPROGRAMMING; REPORTS TO CONGRESS

Pub. L. 95-599, title I, §147, Nov. 6, 1978, 92 Stat. 2714, as amended by Pub. L. 96-106, §15, Nov. 19, 1979, 93 Stat. 798; Pub. L. 99-272, title IV, §4105, Apr. 7, 1986, 100 Stat. 116, directed Secretary of Transportation to conduct two projects to construct or replace high-traffic-volume bridges on the Federal-aid highway system which span major bodies of water in order to demonstrate the feasibility of reducing the time required to replace unsafe bridges; authorized funds for the projects; directed Secretary to report to Congress within six months after the completion of each project; redirected certain funds in excess of amounts needed to complete the projects for use in further projects for construction of three state-of-the-art Ohio River bridges linking designated cities in Kentucky and Ohio; and directed Secretary to report to Congress within a year after the completion of these bridges.

§ 145. Federal-State relationship

(a) PROTECTION OF STATE SOVEREIGNTY.—The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall in no way infringe on the sovereign rights of the States to determine which projects shall be federally financed. The provisions of this chapter provide for a federally assisted State program.

(b) PURPOSE OF PROJECTS.—The projects described in section 1702 of the SAFETEA-LU, section 1602 of the Transportation Equity Act for the 21st Century, sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027 et seq.), and section 149(a) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 181 et seq.) are intended to establish eligibility for Federal-aid highway funds made available for such projects by section 1101(a)(16) of the SAFETEA-LU, section 1101(a)(13) of the Transportation Equity Act for the 21st Century, sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991, and subsections (b), (c), and (d) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, respectively, and are not intended to define the scope or limits of Federal action in a manner inconsistent with subsection (a).

(Added Pub. L. 93-87, title I, §123(a), Aug. 13, 1973, 87 Stat. 261; amended Pub. L. 105-178, title

I, §1601(b), June 9, 1998, 112 Stat. 256; Pub. L. 109-59, title I, §1701(e), Aug. 10, 2005, 119 Stat. 1256; Pub. L. 112-141, div. A, title I, §1519(c)(9), formerly §1519(c)(10), July 6, 2012, 126 Stat. 576, renumbered §1519(c)(9), Pub. L. 114-94, div. A, title I, §1446(d)(5)(B), Dec. 4, 2015, 129 Stat. 1438.)

REFERENCES IN TEXT

Section 1702 of the SAFETEA-LU, referred to in subsec. (b), is section 1702 of Pub. L. 109-59, title I, Aug. 10, 2005, 119 Stat. 1256, which is not classified to the Code.

Section 1602 of the Transportation Equity Act for the 21st Century, referred to in subsec. (b), is section 1602 of Pub. L. 105-178, title I, June 9, 1998, 112 Stat. 256, which is not classified to the Code.

Sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991, referred to in subsec. (b), are sections 1103 to 1108 of Pub. L. 102-240, title I, Dec. 18, 1991, 105 Stat. 2027-2063. See Tables for classification.

Section 149(a) of the Surface Transportation and Uniform Relocation Assistance Act of 1987, referred to in subsec. (b), is section 149(a) of Pub. L. 100-17, title I, Apr. 2, 1987, 101 Stat. 181, which is not classified to the Code.

Section 1101(a)(16) of the SAFETEA-LU, referred to in subsec. (b), is section 1101(a)(16) of Pub. L. 109-59, title I, Aug. 10, 2005, 119 Stat. 1155, which is not classified to the Code.

Section 1101(a)(13) of the Transportation Equity Act for the 21st Century, referred to in subsec. (b), is section 1101(a)(13) of Pub. L. 105-178, title I, June 9, 1998, 112 Stat. 113, which is not classified to the Code.

AMENDMENTS

2015—Subsec. (b). Pub. L. 114-94, §1446(d)(5)(B), amended Pub. L. 112-141, §1519(c). See 2012 Amendment note below.

2012—Subsec. (b). Pub. L. 112-141, §1519(c)(9), formerly §1519(c)(10), as renumbered by Pub. L. 114-94, §1446(d)(5)(B), struck out “section 117 of this title,” after “21st Century,” second time appearing.

2005—Subsec. (b). Pub. L. 109-59 inserted “section 1702 of the SAFETEA-LU,” after “described in” and “section 1101(a)(16) of the SAFETEA-LU,” after “for such projects by” and substituted “section 117 of this title,” for “117 of title 23, United States Code.”

1998—Pub. L. 105-178 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-94, div. A, title I, §1446(d), Dec. 4, 2015, 129 Stat. 1438, provided that the amendment made by section 1446(d)(5)(B) is effective as of July 6, 2012, and as if included in Pub. L. 112-141 as enacted.

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.

§ 146. Carpool and vanpool projects

(a) In order to conserve fuel, decrease traffic congestion during rush hours, improve air quality, and enhance the use of existing highways and parking facilities, the Secretary may approve for Federal financial assistance from funds apportioned under section 104(b)(2) of this title, projects designed to encourage the use of carpools and vanpools. (As used hereafter in this section, the term “carpool” includes a vanpool.) Such a project may include, but is not limited to, such measures as providing carpooling opportunities to the elderly and handicapped, systems for locating potential riders and informing them

of convenient carpool opportunities, acquiring vehicles appropriate for carpool use, designating existing highway lanes as preferential carpool highway lanes, providing related traffic control devices, and designating existing facilities for use as preferential parking for carpools.

(b) A project authorized by this section shall be subject to and carried out in accordance with all provisions of this title, except those provisions which the Secretary determines are inconsistent with this section.

(Added Pub. L. 95-599, title I, §126(a), Nov. 6, 1978, 92 Stat. 2705; amended Pub. L. 105-178, title I, §1103(l)(1), June 9, 1998, 112 Stat. 125; Pub. L. 112-141, div. A, title I, §1105(b), July 6, 2012, 126 Stat. 432.)

PRIOR PROVISIONS

A prior section 146, Pub. L. 93-87, title I, §125(a), Aug. 13, 1973, 87 Stat. 262, related to a special urban high density traffic program, prior to repeal by Pub. L. 94-280, title I, §128(a), May 5, 1976, 90 Stat. 440.

AMENDMENTS

2012—Subsec. (a). Pub. L. 112-141 substituted “section 104(b)(2)” for “sections 104(b)(1) and 104(b)(3)”.

1998—Subsec. (a). Pub. L. 105-178 substituted “sections 104(b)(1) and 104(b)(3)” for “sections 104(b)(1), 104(b)(2), and 104(b)(6)”.

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.

USE OF HIGH OCCUPANCY LANES

Pub. L. 97-424, title I, §163, Jan. 6, 1983, 96 Stat. 2136, as amended by Pub. L. 100-17, title I, §133(a)(4), (5), Apr. 2, 1987, 101 Stat. 170, 171; Pub. L. 102-240, title I, §1056, Dec. 18, 1991, 105 Stat. 2002, provided that: “Notwithstanding any other provision of this Act or any other law, no funds apportioned or allocated to a State for Federal-aid highways shall be obligated for a project for constructing, resurfacing, restoring, rehabilitating, or reconstructing a Federal-aid highway which has a lane designated as a carpool lane unless the use of such lane includes use by motorcycles. Upon certification by the State to the Secretary of Transportation, after notice in the Federal Register and an opportunity for public comment, and acceptance of such certification by the Secretary, the State may restrict such use by motorcycles if such use would create a safety hazard. Any certification made before the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991 [Dec. 18, 1991] shall not be recognized by the Secretary until the Secretary publishes notice of such certification in the Federal Register and provides an opportunity for public comment on such certification.”

EXPENDITURE OF ADMINISTRATIVE FUNDS FOR CARPOOLING AND VANPOOLING PROGRAMS

Pub. L. 97-424, title I, §123(b), Jan. 6, 1983, 96 Stat. 2113, directed the Secretary of Transportation to expend necessary sums out of the administrative funds authorized by section 104(a) of this title to carry out section 126(d) of Pub. L. 95-599, set out below.

GRANTS TO STATES, COUNTIES, ETC., TO PROMOTE CARPOOLING AND VANPOOLING PROGRAMS

Pub. L. 95-599, title I, §126(d)-(h), Nov. 6, 1978, 92 Stat. 2706, 2707, as amended by Pub. L. 102-240, title III, §3004(b), Dec. 18, 1991, 105 Stat. 2088, provided that:

“(d) It is hereby declared to be national policy that special effort should be made to promote commuter