

shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

“(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

“(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

“(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

“(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

“(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

“(5) developing tools—

“(A) to improve performance analysis; and

“(B) to evaluate the effects of project investments on performance.

“(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator of the Federal Highway Administration may use up to \$10,000,000 for each of fiscal years 2016 through 2020 to carry out this section.”

§ 151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors

(a) IN GENERAL.—Not later than 1 year after the date of enactment of the FAST Act, the Secretary shall designate national electric vehicle charging and hydrogen, propane, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, propane, and natural gas fueling technologies across the United States.

(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

(1) solicit nominations from State and local officials for facilities to be included in the corridors;

(2) incorporate existing electric vehicle charging, hydrogen fueling, propane fueling, and natural gas fueling corridors designated by a State or group of States; and

(3) consider the demand for, and location of, existing electric vehicle charging stations, hydrogen fueling stations, propane fueling stations, and natural gas fueling infrastructure.

(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

(1) the heads of other Federal agencies;

(2) State and local officials;

(3) representatives of—

(A) energy utilities;

(B) the electric, fuel cell electric, propane, and natural gas vehicle industries;

(C) the freight and shipping industry;

(D) clean technology firms;

(E) the hospitality industry;

(F) the restaurant industry;

(G) highway rest stop vendors; and

(H) industrial gas and hydrogen manufacturers; and

(4) such other stakeholders as the Secretary determines to be necessary.

(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

(1) identifies electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure in those corridors by the end of fiscal year 2020.

(Added Pub. L. 114-94, div. A, title I, § 1413(a), Dec. 4, 2015, 129 Stat. 1417.)

REFERENCES IN TEXT

The date of enactment of the FAST Act, referred to in subsec. (a), is the date of enactment of Pub. L. 114-94, which was approved Dec. 4, 2015.

PRIOR PROVISIONS

A prior section 151, added Pub. L. 100-17, title I, § 125(a), Apr. 2, 1987, 101 Stat. 166; amended Pub. L. 105-178, title I, § 1212(a)(2)(A)(ii), title V, § 5119(e), June 9, 1998, 112 Stat. 193, 452, related to a national bridge inspection program, prior to repeal by Pub. L. 112-141, div. A, title I, § 1519(b)(1)(A), July 6, 2012, 126 Stat. 575, effective Oct. 1, 2012.

Another prior section 151, added Pub. L. 93-87, title II, § 205(a), Aug. 13, 1973, 87 Stat. 284; amended Pub. L. 94-280, title II, § 207, May 5, 1976, 90 Stat. 454; Pub. L. 95-599, title I, § 127, Nov. 6, 1978, 92 Stat. 2707; Pub. L. 96-470, title II, § 209(c), Oct. 19, 1980, 94 Stat. 2245; Pub. L. 97-375, title I, § 111(a), Dec. 21, 1982, 96 Stat. 1821, related to a pavement marking demonstration program, prior to repeal by Pub. L. 100-17, title I, § 125(a), Apr. 2, 1987, 101 Stat. 166.

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

§ 152. Hazard elimination program

(a) IN GENERAL.—

(1) PROGRAM.—Each State shall conduct and systematically maintain an engineering survey of all public roads to identify hazardous locations, sections, and elements, including roadside obstacles and unmarked or poorly marked roads, which may constitute a danger to motorists, bicyclists, and pedestrians, assign priorities for the correction of such loca-

tions, sections, and elements, and establish and implement a schedule of projects for their improvement.

(2) HAZARDS.—In carrying out paragraph (1), a State may, at its discretion—

(A) identify, through a survey, hazards to motorists, bicyclists, pedestrians, and users of highway facilities; and

(B) develop and implement projects and programs to address the hazards.

(b) The Secretary may approve as a project under this section any safety improvement project, including a project described in subsection (a).

(c) Funds authorized to carry out this section shall be available for expenditure on—

(1) any public road;

(2) any public surface transportation facility or any publicly owned bicycle or pedestrian pathway or trail; or

(3) any traffic calming measure.

(d) The Federal share payable on account of any project under this section shall be 90 percent of the cost thereof.

(e) Funds authorized to be appropriated to carry out this section shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under section 104(b), except that the Secretary is authorized to waive provisions he deems inconsistent with the purposes of this section.

(f) Each State shall establish an evaluation process approved by the Secretary, to analyze and assess results achieved by safety improvement projects carried out in accordance with procedures and criteria established by this section. Such evaluation process shall develop cost-benefit data for various types of corrections and treatments which shall be used in setting priorities for safety improvement projects.

(g) Each State shall report to the Secretary of Transportation not later than December 30 of each year, on the progress being made to implement safety improvement projects for hazard elimination and the effectiveness of such improvements. Each State report shall contain an assessment of the cost of, and safety benefits derived from, the various means and methods used to mitigate or eliminate hazards and the previous and subsequent accident experience at these locations. The Secretary of Transportation shall submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than April 1 of each year on the progress being made by the States in implementing the hazard elimination program (including but not limited to any projects for pavement marking). The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of the hazard elimination program.

(h) For the purposes of this section the term "State" shall have the meaning given it in section 401 of this title.

(Added Pub. L. 93-87, title II, §209(a), Aug. 13, 1973, 87 Stat. 286; amended Pub. L. 94-280, title I, §131, May 5, 1976, 90 Stat. 441; Pub. L. 95-599, title I, §168(a), Nov. 6, 1978, 92 Stat. 2722; Pub. L. 96-106, §10(b), Nov. 9, 1979, 93 Stat. 798; Pub. L. 97-375, title II, §210(b), Dec. 21, 1982, 96 Stat. 1826; Pub. L. 97-424, title I, §125, Jan. 6, 1983, 96 Stat. 2113; Pub. L. 100-17, title I, §133(b)(12), Apr. 2, 1987, 101 Stat. 172; Pub. L. 104-59, title III, §325(c), Nov. 28, 1995, 109 Stat. 592; Pub. L. 105-178, title I, §1401, June 9, 1998, 112 Stat. 235.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-178, §1401(1), inserted subsec. heading, designated existing provisions as par. (1) and inserted par. heading, realigned margins, substituted "motorists, bicyclists, and pedestrians" for "motorists and pedestrians", and added par. (2).

Subsec. (b). Pub. L. 105-178, §1401(2), substituted "safety improvement project, including a project described in subsection (a)" for "highway safety improvement project".

Subsec. (c). Pub. L. 105-178, §1401(3), substituted "on—

"(1) any public road;

"(2) any public surface transportation facility or any publicly owned bicycle or pedestrian pathway or trail; or

"(3) any traffic calming measure" for "on any public road (other than a highway on the Interstate System)".

Subsec. (e). Pub. L. 105-178, §1401(4), struck out "apportioned to the States as provided in section 402(c) of this title. Such funds shall be" before "available for obligation" and substituted "section 104(b)" for "section 104(b)(1)".

Subsecs. (f), (g). Pub. L. 105-178, §1401(5), substituted "safety improvement projects" for "highway safety improvement projects" wherever appearing.

1995—Subsec. (g). Pub. L. 104-59 substituted "Committee on Transportation and Infrastructure" for "Committee on Public Works and Transportation".

1987—Subsec. (g). Pub. L. 100-17 substituted "the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives" for "the Congress".

1983—Subsec. (c). Pub. L. 97-424 substituted provision that funds authorized to carry out this section shall be available for expenditure on any public road (other than a highway on the Interstate System), for provision that funds authorized to carry out this section would be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa.

1982—Subsec. (g). Pub. L. 97-375 inserted "(including but not limited to any projects for pavement marking)" after "implementing the hazard elimination program".

1979—Subsec. (g). Pub. L. 96-106 substituted "December 30" for "September 30" and "April 1" for "January 1".

1978—Subsec. (a). Pub. L. 95-599 substituted "public roads" for "highways" and inserted provisions relating to identification of hazardous sections and elements.

Subsec. (b). Pub. L. 95-599 substituted provisions relating to approval of highway safety improvement projects by the Secretary for provisions authorizing appropriations for fiscal years ending June 30, 1974 through June 30, 1976.

Subsec. (c). Pub. L. 95-599 reenacted subsec. (c) without substantive change.

Subsec. (d). Pub. L. 95-599 substituted provisions prescribing the Federal share payable on account of any

project under this section for provisions relating to apportionment of funds made available under subsec. (b) to the States. See subsec. (e) of this section.

Subsec. (e). Pub. L. 95-599 substituted provisions relating to apportionment of funds to the States under this section for provisions relating to progress reports required of the States under this section. See subsec. (g).

Subsecs. (f) to (h). Pub. L. 95-599 added subsecs. (f) and (g) and redesignated former subsec. (f) as (h).

1976—Subsec. (f). Pub. L. 94-280 added subsec. (f).

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (g) of this section relating to the requirement that the Secretary of Transportation submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than April 1 of each year, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 135 of House Document No. 103-7.

§ 153. Use of safety belts and motorcycle helmets

(a) **AUTHORITY TO MAKE GRANTS.**—The Secretary may make grants to a State in a fiscal year in accordance with this section if the State has in effect in such fiscal year—

(1) a law which makes unlawful throughout the State the operation of a motorcycle if any individual on the motorcycle is not wearing a motorcycle helmet; and

(2) a law which makes unlawful throughout the State the operation of a passenger vehicle whenever an individual in a front seat of the vehicle (other than a child who is secured in a child restraint system) does not have a safety belt properly fastened about the individual's body.

(b) **USE OF GRANTS.**—A grant made to a State under this section shall be used to adopt and implement a traffic safety program to carry out the following purposes:

(1) **EDUCATION.**—To educate the public about motorcycle and passenger vehicle safety and motorcycle helmet, safety belt, and child restraint system use and to involve public health education agencies and other related agencies in these efforts.

(2) **TRAINING.**—To train law enforcement officers in the enforcement of State laws described in subsection (a).

(3) **MONITORING.**—To monitor the rate of compliance with State laws described in subsection (a).

(4) **ENFORCEMENT.**—To enforce State laws described in subsection (a).

(c) **MAINTENANCE OF EFFORT.**—A grant may not be made to a State under this section in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for any traffic safety program described in subsection (b) at or above the average level of such expenditures in the State's 2 fiscal years preceding the date of the enactment of this section.

(d) **FEDERAL SHARE.**—A State may not receive a grant under this section in more than 3 fiscal years. The Federal share payable for a grant under this section shall not exceed—

(1) in the first fiscal year the State receives a grant, 75 percent of the cost of implementing in such fiscal year a traffic safety program described in subsection (b);

(2) in the second fiscal year the State receives a grant, 50 percent of the cost of implementing in such fiscal year such traffic safety program; and

(3) in the third fiscal year the State receives a grant, 25 percent of the cost of implementing in such fiscal year such traffic safety program.

(e) **MAXIMUM AGGREGATE AMOUNT OF GRANTS.**—The aggregate amount of grants made to a State under this section shall not exceed 90 percent of the amount apportioned to such State for fiscal year 1990 under section 402.

(f) **ELIGIBILITY FOR GRANTS.**—

(1) **GENERAL RULE.**—A State is eligible in a fiscal year for a grant under this section only if the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State implements in such fiscal year a traffic safety program described in subsection (b).

(2) **SECOND-YEAR GRANTS.**—A State is eligible for a grant under this section in a fiscal year succeeding the first fiscal year in which a State receives a grant under this section only if the State in the preceding fiscal year—

(A) had in effect at all times a State law described in subsection (a)(1) and achieved a rate of compliance with such law of not less than 75 percent; and

(B) had in effect at all times a State law described in subsection (a)(2) and achieved a rate of compliance with such law of not less than 50 percent.

(3) **THIRD-YEAR GRANTS.**—A State is eligible for a grant under this section in a fiscal year succeeding the second fiscal year in which a State receives a grant under this section only if the State in the preceding fiscal year—

(A) had in effect at all times a State law described in subsection (a)(1) and achieved a rate of compliance with such law of not less than 85 percent; and

(B) had in effect at all times a State law described in subsection (a)(2) and achieved a rate of compliance with such law of not less than 70 percent.

(g) **MEASUREMENTS OF RATES OF COMPLIANCE.**—For the purposes of subsections (f)(2) and (f)(3), a State shall measure compliance with State laws described in subsection (a) using methods which conform to guidelines issued by the Secretary ensuring that such measurements are accurate and representative.

(h) **PENALTY.**—

(1) **PRIOR TO FISCAL YEAR 2012.**—If, at any time in a fiscal year beginning after September 30, 1994, and before October 1, 2011, a State does not have in effect a law described in subsection (a)(2), the Secretary shall transfer 3 percent of the funds apportioned to the State for the succeeding fiscal year under each of subsections (b)(1), (b)(2), and (b)(3) of section 104¹ of this title to the apportionment of the State under section 402 of this title.

¹ See References in Text note below.