

retary [of Transportation], in consultation with the Chair of the Council on Environmental Quality, shall promulgate regulations to implement the requirements of section 330 of title 23, United States Code, as added by this section.

“(2) DETERMINATION OF STRINGENCY.—As part of the rulemaking required under this subsection, the Chair shall—

“(A) establish the criteria necessary to determine that a State law or regulation is at least as stringent as a Federal requirement described in section 330(a)(3) of title 23, United States Code; and

“(B) ensure that the criteria, at a minimum—

“(i) provide for protection of the environment;

“(ii) provide opportunity for public participation and comment, including access to the documentation necessary to review the potential impact of a project; and

“(iii) ensure a consistent review of projects that would otherwise have been covered under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

CHAPTER 4—HIGHWAY SAFETY

- Sec. 401. Authority of the Secretary.
- 402. Highway safety programs.
- 403. Highway safety research and development.
- 404. High-visibility enforcement program.
- 405. National priority safety programs.
- [406 to 408. Repealed.]
- 409. Discovery and admission as evidence of certain reports and surveys.
- [410, 411. Repealed.]
- 412. Agency accountability.

AMENDMENTS

2015—Pub. L. 114-94, div. A, title IV, §4004(b), Dec. 4, 2015, 129 Stat. 1501, substituted “High-visibility enforcement program” for “National Highway Safety Advisory Committee” in item 404.

2012—Pub. L. 112-141, div. C, title I, §31105(b), 31109(b)–(f), July 6, 2012, 126 Stat. 755-757, substituted “National priority safety programs” for “Occupant protection incentive grants” in item 405 and struck out items 406 “Safety belt performance grants”, 407 “Innovative project grants”, 408 “State traffic safety information system improvements”, 410 “Alcohol-impaired driving countermeasures”, and 411 “State highway safety data improvements”.

2005—Pub. L. 109-59, title II, §§2005(b), 2006(b), 2008(b), Aug. 10, 2005, 119 Stat. 1527, 1529, 1535, substituted “Safety belt performance grants” for “School bus driver training” in item 406 and “State traffic safety information system improvements” for “Alcohol traffic safety programs” in item 408 and added item 412.

1998—Pub. L. 105-178, title II, §§2003(a)(2), 2005(b), June 9, 1998, 112 Stat. 327, 334, substituted “Occupant protection incentive grants” for “Repealed” in item 405 and added item 411.

1991—Pub. L. 102-240, title I, §1035(b), title II, §2004(c), Dec. 18, 1991, 105 Stat. 1978, 2079, substituted “Discovery and admission” for “Admission” in item 409 and “Alcohol-impaired driving countermeasures” for “Drunk driving prevention programs” in item 410.

1988—Pub. L. 100-690, title IX, §9002(b), Nov. 18, 1988, 102 Stat. 4525, added item 410.

1987—Pub. L. 100-17, title I, §132(b), Apr. 2, 1987, 101 Stat. 170, added item 409.

1982—Pub. L. 97-364, title I, §101(b), Oct. 25, 1982, 96 Stat. 1740, added item 408.

1978—Pub. L. 95-599, title II, §208(b), Nov. 6, 1978, 92 Stat. 2732, added item 407.

1976—Pub. L. 94-280, title I, §135(d), May 5, 1976, 90 Stat. 442, substituted item 405 “Repealed” for “Federal-aid safer roads demonstration program”.

1975—Pub. L. 93-643, §126(b), Jan. 4, 1975, 88 Stat. 2291, added item 406.

1973—Pub. L. 93-87, title II, §230(b), Aug. 13, 1973, 87 Stat. 294, added item 405.

§ 401. Authority of the Secretary

The Secretary is authorized and directed to assist and cooperate with other Federal departments and agencies, State and local governments, private industry, and other interested parties, to increase highway safety. For the purposes of this chapter, the term “State” means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Added Pub. L. 89-564, title I, §101, Sept. 9, 1966, 80 Stat. 731; amended Pub. L. 93-87, title II, §218, Aug. 13, 1973, 87 Stat. 290; Pub. L. 98-363, §3(b), July 17, 1984, 98 Stat. 436; Pub. L. 100-17, title I, §133(b)(19), Apr. 2, 1987, 101 Stat. 172.)

AMENDMENTS

1987—Pub. L. 100-17 inserted reference in second sentence to Commonwealth of the Northern Mariana Islands.

1984—Pub. L. 98-363 struck out “, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriated” after “and American Samoa”.

1973—Pub. L. 93-87 inserted definition of “State” and provided that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriated.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-363, §3(c), July 17, 1984, 98 Stat. 436, provided that: “The amendments made by subsections (a) and (b) [amending this section and section 402 of this title] shall apply to fiscal years beginning after the date of enactment of this Act [July 17, 1984].”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-240, title II, §2001, Dec. 18, 1991, 105 Stat. 2070, provided that: “This part [part A (§§2001-2009) of title II of Pub. L. 102-240, amending sections 402, 403, and 410 of this title, enacting provisions set out as notes under sections 402, 403, and 410 of this title, and amending provisions set out below] may be cited as the ‘Highway Safety Act of 1991’.”

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-690, title IX, §9001, Nov. 18, 1988, 102 Stat. 4521, provided that: “This subtitle [subtitle A (§§9001 to 9005) of title IX of Pub. L. 100-690, enacting section 410 of this title and provisions set out as notes under sections 403 and 410 of this title] may be cited as the ‘Drunk Driving Prevention Act of 1988’.”

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-17, title II, §201, Apr. 2, 1987, 101 Stat. 218, provided that: “This title [amending sections 402 and 408 of this title and section 2314 of former Title 49, Transportation, enacting provisions set out as notes under this section, section 402 of this title, and section 2204 of former Title 49, and amending provisions set out as a note under this section] be cited as the ‘Highway Safety Act of 1987’.”

SHORT TITLE OF 1983 AMENDMENT

Pub. L. 97-424, title II, §201, Jan. 6, 1983, 96 Stat. 2137, provided that: “This title [amending section 402 of this title and enacting provisions set out as notes under this section and sections 130, 154, and 408 of this title] may be cited as the ‘Highway Safety Act of 1982’.”

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-599, title II, §201, Nov. 6, 1978, 92 Stat. 2727, provided that: “This title [enacting section 407 of this