

Sec.	
535d.	Repealed.
535e.	Ownership.
535f.	Applicability of provisions.
535g.	Federal navigable waters and commerce jurisdiction unaffected.
535h.	Report of Secretary of Transportation's approval during fiscal year.
535i.	Reservation of right to alter or repeal.

BRIDGE PERMITS

Pub. L. 112-213, title VII, §712(a), Dec. 20, 2012, 126 Stat. 1582, provided that:

“(a) IN GENERAL.—For the purposes of reviewing a permit application pursuant to section 9 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 401), the Act of March 23, 1906, popularly known as the Bridge Act of 1906 (33 U.S.C. 491 et seq.), the Act of June 21, 1940, popularly known as the Truman-Hobbs Act (33 U.S.C. 511 et seq.), or the General Bridge Act of 1946 (33 U.S.C. 525 et seq.), the Secretary of the department in which the Coast Guard is operating may—

“(1) accept voluntary services from one or more owners of a bridge; and

“(2) accept and credit to Coast Guard operating expenses any amounts received from one or more owners of a bridge.”

SUBCHAPTER I—GENERAL PROVISIONS

§ 491. Approval of and deviation from plans; exemptions

When, after March 23, 1906, authority is granted by Congress to any persons to construct and maintain a bridge across or over any of the navigable waters of the United States, such bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of Transportation for the Secretary's approval, nor until the Secretary shall have approved such plans and specifications and the location of such bridge and accessory works; and when the plans for any bridge to be constructed under the provisions of sections 491 to 494 and 495 to 498 of this title, have been approved by the Secretary it shall not be lawful to deviate from such plans, either before or after completion of the structure, unless the modification of such plans has previously been submitted to and received the approval of the Secretary. This section shall not apply to any bridge over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce.

(Mar. 23, 1906, ch. 1130, §1, 34 Stat. 84; Pub. L. 97-322, title I, §107(c), Oct. 15, 1982, 96 Stat. 1582; Pub. L. 97-449, §2(d)(1), Jan. 12, 1983, 96 Stat. 2440; Pub. L. 98-557, §17(g)(1), Oct. 30, 1984, 98 Stat. 2869.)

AMENDMENTS

1984—Pub. L. 98-557 substituted “for the Secretary's approval, nor until the Secretary” for “and Chief of Engineers for their approval, nor until they” and struck out “by the Chief of Engineers and” after “have been approved”, “of the Chief of Engineers and” after “received the approval”, and “of Transportation” after “by the Secretary” and after “of the Secretary”.

1983—Pub. L. 97-449 substituted “Secretary of Transportation” for “Secretary of War” wherever appearing. See Transfer of Functions note below.

1982—Pub. L. 97-322 inserted sentence at end relating to exemption.

SHORT TITLE

Sections 491 to 494 and 495 to 498 of this title are popularly known as the “Bridge Act of 1906” and the “General Bridge Act of 1906”.

TRANSFER OF FUNCTIONS

Functions, powers, and duties of Secretary of the Army [formerly War] and other offices and officers of Department of the Army [formerly War] under this section to extent that they relate generally to location and clearances of bridges and causeways in navigable waters of United States transferred to and vested in Secretary of Transportation by Pub. L. 89-670, §6(g)(6)(B), Oct. 15, 1966, 80 Stat. 941. Pub. L. 97-449 amended this section to reflect transfer made by section 6(g)(6)(B) of Pub. L. 89-670, and repealed section 6(g)(6)(B).

§ 492. Bridge as post route; limitation as to charges against Government; telegraph and telephone lines

Any bridge built in accordance with the provisions of sections 491 to 494 and 495 to 498 of this title, shall be a lawful structure and shall be recognized and known as a post route, upon which no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over any railroad, street railway, or public highway leading to said bridge; and the United States shall have the right to construct, maintain, and repair, without any charge therefor, telegraph and telephone lines across and upon said bridge and its approaches; and equal privileges in the use of said bridge and its approaches shall be granted to all telegraph and telephone companies.

(Mar. 23, 1906, ch. 1130, §2, 34 Stat. 85.)

§ 493. Use of railroad bridges by other railroad companies

All railroad companies desiring the use of any railroad bridge built in accordance with the provisions of sections 491 to 494 and 495 to 498 of this title, shall be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto upon payment of a reasonable compensation for such use; and in case of any disagreement between the parties in regard to the terms of such use or the sums to be paid all matters at issue shall be determined by the Secretary of Transportation upon hearing the allegations and proofs submitted to him.

(Mar. 23, 1906, ch. 1130, §3, 34 Stat. 85; Pub. L. 97-449, §2(d)(1), Jan. 12, 1983, 96 Stat. 2440.)

AMENDMENTS

1983—Pub. L. 97-449 substituted “Secretary of Transportation” for “Secretary of War”. See Transfer of Functions note below.

TRANSFER OF FUNCTIONS

Functions, powers, and duties of Secretary of the Army [formerly War] and other offices and officers of