

(4) incorporate research on the potential impact of environmental, weather, and natural conditions on intelligent transportation systems, including the effects of cold climates;

(5) enhance intermodal use of intelligent transportation systems for diverse groups, including for emergency and health-related services;

(6) enhance safety through improved crash avoidance and protection, crash and other notification, commercial motor vehicle operations, and infrastructure-based or cooperative safety systems; or

(7) facilitate the integration of intelligent infrastructure, vehicle, and control technologies.

(c) **FEDERAL SHARE.**—The Federal share payable on account of any project or activity carried out under subsection (a) shall not exceed 80 percent.

(Added Pub. L. 112–141, div. E, title III, § 53004(a), July 6, 2012, 126 Stat. 902.)

EFFECTIVE DATE

Section 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.

§ 517. National architecture and standards

(a) **IN GENERAL.**—

(1) **DEVELOPMENT, IMPLEMENTATION, AND MAINTENANCE.**—In accordance with section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note; 110 Stat. 783; 115 Stat. 1241), the Secretary shall develop and maintain a national ITS architecture and supporting ITS standards and protocols to promote the use of systems engineering methods in the widespread deployment and evaluation of intelligent transportation systems as a component of the surface transportation systems of the United States.

(2) **INTEROPERABILITY AND EFFICIENCY.**—To the maximum extent practicable, the national ITS architecture and supporting ITS standards and protocols shall promote interoperability among, and efficiency of, intelligent transportation systems and technologies implemented throughout the United States.

(3) **USE OF STANDARDS DEVELOPMENT ORGANIZATIONS.**—In carrying out this section, the Secretary shall support the development and maintenance of standards and protocols using the services of such standards development organizations as the Secretary determines to be necessary and whose memberships include representatives of the surface transportation and intelligent transportation systems industries.

(b) **STANDARDS FOR NATIONAL POLICY IMPLEMENTATION.**—If the Secretary finds that a standard is necessary for implementation of a nationwide policy relating to user fee collection or other capability requiring nationwide uniformity, the Secretary, after consultation with stakeholders, may establish and require the use of that standard.

(c) **PROVISIONAL STANDARDS.**—

(1) **IN GENERAL.**—If the Secretary finds that the development or balloting of an intelligent

transportation system standard jeopardizes the timely achievement of the objectives described in subsection (a), the Secretary may establish a provisional standard, after consultation with affected parties, using, to the maximum extent practicable, the work product of appropriate standards development organizations.

(2) **PERIOD OF EFFECTIVENESS.**—A provisional standard established under paragraph (1) shall be published in the Federal Register and remain in effect until the appropriate standards development organization adopts and publishes a standard.

(d) **CONFORMITY WITH NATIONAL ARCHITECTURE.**—

(1) **In general.**—Except as provided in paragraph (2), the Secretary shall ensure that intelligent transportation system projects carried out using amounts made available from the Highway Trust Fund, including amounts made available to deploy intelligent transportation systems, conform to the appropriate regional ITS architecture, applicable standards, and protocols developed under subsection (a) or (c).

(2) **DISCRETION OF THE SECRETARY.**—The Secretary, at the discretion of the Secretary, may offer an exemption from paragraph (1) for projects designed to achieve specific research objectives outlined in the national intelligent transportation system program plan or the surface transportation research and development strategic plan developed under section 508.¹

(Added Pub. L. 112–141, div. E, title III, § 53005(a), July 6, 2012, 126 Stat. 902; amended Pub. L. 114–94, div. A, title VI, § 6008, Dec. 4, 2015, 129 Stat. 1567.)

REFERENCES IN TEXT

Section 12(d) of the National Technology Transfer and Advancement Act of 1995, referred to in subsec. (a)(1), is section 12(d) of Pub. L. 104–113, Mar. 7, 1996, 110 Stat. 783, which is set out as a note under section 272 of Title 15, Commerce and Trade.

Section 508, referred to in subsec. (d)(2), was repealed by Pub. L. 114–94, div. A, title VI, § 6019(d)(1)(A), Dec. 4, 2015, 129 Stat. 1581, effective Oct. 1, 2015.

AMENDMENTS

2015—Subsec. (a)(3). Pub. L. 114–94 substituted “memberships include representatives of” for “memberships are comprised of, and represent,”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section 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.

§ 518. Vehicle-to-vehicle and vehicle-to-infrastructure communications systems deployment

(a) **IN GENERAL.**—Not later than July 6, 2016, the Secretary shall make available to the public

¹ See References in Text note below.

on a Department of Transportation website a report that—

(1) assesses the status of dedicated short-range communications technology and applications developed through research and development;

(2) analyzes the known and potential gaps in short-range communications technology and applications;

(3) defines a recommended implementation path for dedicated short-range communications technology and applications that—

(A) is based on the assessment described in paragraph (1); and

(B) takes into account the analysis described in paragraph (2);

(4) includes guidance on the relationship of the proposed deployment of dedicated short-range communications to the National ITS Architecture and ITS Standards; and

(5) ensures competition by not preferencing the use of any particular frequency for vehicle to infrastructure operations.

(b) **REPORT REVIEW.**—The Secretary shall enter into agreements with the National Research Council and an independent third party with subject matter expertise for the review of the report described in subsection (a).

(Added Pub. L. 112–141, div. E, title III, § 53006(a), July 6, 2012, 126 Stat. 904; amended Pub. L. 114–94, div. A, title VI, § 6009, Dec. 4, 2015, 129 Stat. 1567.)

AMENDMENTS

2015—Subsec. (a). Pub. L. 114–94, in introductory provisions, substituted “Not later than July 6, 2016, the Secretary shall make available to the public on a Department of Transportation website a report” for “Not later than 3 years after the date of enactment of this section, the Secretary shall submit to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology of the House of Representatives”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section 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.

§ 519. Infrastructure development

Funds made available to carry out this chapter for operational tests of intelligent transportation systems—

(1) shall be used primarily for the development of intelligent transportation system infrastructure, equipment, and systems; and

(2) to the maximum extent practicable, shall not be used for the construction of physical surface transportation infrastructure unless the construction is incidental and critically necessary to the implementation of an intelligent transportation system project.

(Added Pub. L. 114–94, div. A, title VI, § 6010(a), Dec. 4, 2015, 129 Stat. 1567.)

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.

CHAPTER 6—INFRASTRUCTURE FINANCE

Sec.

- 601. Generally applicable provisions.
- 602. Determination of eligibility and project selection.
- 603. Secured loans.
- 604. Lines of credit.
- 605. Program administration.
- 606. State and local permits.
- 607. Regulations.
- 608. Funding.
- 609. Reports to Congress.
- 610. State infrastructure bank program.

CODIFICATION

This chapter, consisting of sections 601 to 610 of this title, was previously set out as subchapter II, consisting of sections 181 to 190, of chapter 1 of this title.

§ 601. Generally applicable provisions

(a) **DEFINITIONS.**—The following definitions apply to sections 601 through 609:

(1) **CONTINGENT COMMITMENT.**—The term “contingent commitment” means a commitment to obligate an amount from future available budget authority that is—

(A) contingent on those funds being made available in law at a future date; and

(B) not an obligation of the Federal Government.

(2) **ELIGIBLE PROJECT COSTS.**—The term “eligible project costs” means amounts substantially all of which are paid by, or for the account of, an obligor in connection with a project, including the cost of—

(A) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(B) construction, reconstruction, rehabilitation, replacement, and acquisition of real property (including land relating to the project and improvements to land), environmental mitigation, construction contingencies, and acquisition of equipment;

(C) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction; and

(D) capitalizing a rural projects fund.

(3) **FEDERAL CREDIT INSTRUMENT.**—The term “Federal credit instrument” means a secured loan, loan guarantee, or line of credit authorized to be made available under the TIFIA program with respect to a project.

(4) **INVESTMENT-GRADE RATING.**—The term “investment-grade rating” means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.