

(e) In making, reviewing, or approving the design of any bridge or approach structure to be constructed under this section, the agency shall, in matters relating to roadway design, loadings, clearances and widths, and traffic safeguards, give full consideration to and be guided by the standards and advice of the Secretary.

(f) The authority conferred by this section shall be in addition to and not in limitation of authority conferred upon any agency by any other law, and nothing in this section contained shall affect or be deemed to relate to any bridge, approach structure, or highway constructed or to be constructed by any such agency in furtherance of its lawful purposes and requirements or to satisfy a legal obligation incurred independently of this section.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 917; Pub. L. 86-342, title I, §108, Sept. 21, 1959, 73 Stat. 613; Pub. L. 88-423, §4(c), Aug. 13, 1964, 78 Stat. 398; Pub. L. 91-605, title I, §116(a), Dec. 31, 1970, 84 Stat. 1724; Pub. L. 93-87, title I, §128(a), Aug. 13, 1973, 87 Stat. 265; Pub. L. 93-643, §123(a), Jan. 4, 1975, 88 Stat. 2290; Pub. L. 94-280, title I, §137(a), May 5, 1976, 90 Stat. 443; Pub. L. 95-599, title I, §128(a), Nov. 6, 1978, 92 Stat. 2707.)

#### AMENDMENTS

1978—Subsec. (d).	Pub. L. 95-599	substituted
“\$65,000,000” for “\$50,000,000”.		
1976—Subsec. (d).	Pub. L. 94-280	substituted
“\$50,000,000” for “\$27,761,000”.		
1975—Subsec. (d).	Pub. L. 93-643	substituted
“\$27,761,000” for “\$25,261,000”.		
1973—Subsec. (d).	Pub. L. 93-87	substituted
“\$25,261,000” for “\$16,761,000”.		
1970—Subsec. (d).	Pub. L. 91-605	substituted
“\$16,761,000” for “\$13,000,000”.		
1964—Subsec. (b).	Pub. L. 88-423	substituted “which such bridge is to be located, or the appropriate subdivision of such State, shall enter into an agreement with such agency and with” for “such State, shall enter into an agreement with such agency and with which such bridge is to be located, or the appropriate subdivision of”.
1959—Subsec. (d).	Pub. L. 86-342	substituted
“\$13,000,000” for “\$10,000,000”.		

#### APPROPRIATION OUT OF HIGHWAY TRUST FUND OF SUMS APPROPRIATED UNDER AUTHORITY OF INCREASED AUTHORIZATION

Pub. L. 95-599, title I, §128(b), Nov. 6, 1978, 92 Stat. 2707, provided that: “Sums appropriated or expended under authority of the increased authorization established by the amendment made by subsection (a) of this section [amending subsec. (d) of this section] shall be appropriated out of the Highway Trust Fund for the fiscal year ending September 30, 1978, and for subsequent fiscal years.”

#### APPROPRIATION OF INCREASED AUTHORIZATION

Pub. L. 94-280, title I, §137(b), May 5, 1976, 90 Stat. 443, provided that: “Sums appropriated or expended under authority of the increased authorization established by the amendment made by subsection (a) of this section [to subsec. (d) of this section] shall be appropriated out of the Highway Trust Fund for the fiscal year ending September 30, 1977, and for subsequent fiscal years.”

#### RESTRICTION ON INCREASED AUTHORIZATION OF APPROPRIATIONS

Pub. L. 93-643, §123(b), Jan. 4, 1975, 88 Stat. 2290, provided that: “All sums appropriated under authority of the increased authorization established by the amendment made by subsection (a) of this section shall be

available for expenditure in the same manner and for the same purpose as provided for in subsection (b) of section 116 of the Federal-Aid Highway Act of 1970 (Public Law 91-605).”

Pub. L. 93-87, title I, §128(b), Aug. 13, 1973, 87 Stat. 265, provided that: “All sums appropriated under authority of the increased authorization of \$8,500,000 established by the amendment made by subsection (a) of this section [to subsec. (d) of this section] shall be available for expenditure only in connection with the construction of a bridge across lock and dam numbered 13 on the Arkansas River near Fort Smith, Arkansas, in the amount of \$2,100,000 and in connection with reconstruction of a bridge across the Chickamauga Dam on the Tennessee River near Chattanooga, Tennessee, in the amount of \$6,400,000. No such sums shall be appropriated until all applicable requirements of section 320 of title 23 of the United States Code have been complied with by the appropriate Federal agency, the Secretary of Transportation, and the State of Arkansas for the Fort Smith project, and the State of Tennessee for the Chattanooga project.”

Pub. L. 91-605, title I, §116(b), Dec. 31, 1970, 84 Stat. 1724, provided that: “All sums appropriated under authority of the increased authorization of \$3,761,000 established by the amendment made by subsection (a) of this section [amending subsec. (d) of this section] shall be available for expenditure only in connection with the construction of a bridge across Markland Dam on the Ohio River near Markland, Indiana, and Warsaw, Kentucky. No such sums shall be appropriated until all applicable requirements of section 320 of title 23 of the United States Code have been complied with by the appropriate Federal agency, the Secretary of Transportation, and the States of Kentucky and Indiana.”

#### § 321. Signs identifying funding sources

If a State has a practice of erecting on projects under actual construction without Federal-aid highway assistance signs which indicate the source or sources of any funds used to carry out such projects, such State shall erect on all projects under actual construction with any funds made available out of the Highway Trust Fund (other than the Mass Transit Account) signs which are visible to highway users and which indicate each governmental source of funds being used to carry out such federally assisted projects and the amount of funds being made available by each such source.

(Added Pub. L. 109-59, title I, §1901(a), Aug. 10, 2005, 119 Stat. 1464.)

#### CODIFICATION

Section, as added by Pub. L. 109-59, consists of text of Pub. L. 100-17, title I, §154, Apr. 2, 1987, 101 Stat. 209, which was formerly set out as a note under section 101 of this title, and was repealed by Pub. L. 109-59, title I, §1901(c), Aug. 10, 2005, 119 Stat. 1464.

#### PRIOR PROVISIONS

A prior section 321, added Pub. L. 91-605, title I, §115(a), Dec. 31, 1970, 84 Stat. 1723; amended Pub. L. 96-106, §11, Nov. 9, 1979, 93 Stat. 798; Pub. L. 100-17, title I, §131, Apr. 2, 1987, 101 Stat. 170; Pub. L. 102-240, title VI, §6002, Dec. 18, 1991, 105 Stat. 2166; Pub. L. 105-130, §5(e)(3), Dec. 1, 1997, 111 Stat. 2557, related to National Highway Institute, prior to repeal by Pub. L. 105-178, title V, §5119(b), June 9, 1998, 112 Stat. 452.

#### § 322. Magnetic levitation transportation technology deployment program

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE PROJECT COSTS.—The term “eligible project costs”—