

115-254, div. B, title V, § 578, Oct. 5, 2018, 132 Stat. 3394.)

## REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subssecs. (a)(1), (3)(A)(i), (ii), (B)(i), (ii), (d)(2), (f), (g), (h)(2), and (i)(5), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§ 4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The date of enactment of this section, referred to in subssecs. (j) and (k), is the date of enactment of Pub. L. 114-94, which was approved Dec. 4, 2015.

## AMENDMENTS

2018—Subsec. (a)(2). Pub. L. 115-254, § 578(1), substituted “2 States” for “5 States”.

Subsec. (e)(2)(A), (3)(B)(i). Pub. L. 115-254, § 578(2), substituted “150 days as set forth in section 139(l)” for “2 years”.

## 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.

## PURPOSE

Pub. L. 114-94, div. A, title I, § 1309(a), Dec. 4, 2015, 129 Stat. 1392, provided that: “The purpose of this section [enacting this section and provisions set out as a note under this section] is to eliminate duplication of environmental reviews and approvals under State laws and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)”

## RULEMAKING

Pub. L. 114-94, div. A, title I, § 1309(c), Dec. 4, 2015, 129 Stat. 1396, provided that:

“(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act [Dec. 4, 2015], the Secretary [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.

Sec.

## 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.