

**[§ 219. Repealed. Pub. L. 100-17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173]**

Section, added Pub. L. 93-643, § 122(a), Jan. 4, 1975, 88 Stat. 2289; amended Pub. L. 94-280, title I, § 135(a), May 5, 1976, 90 Stat. 441; Pub. L. 95-599, title I, § 168(d), Nov. 6, 1978, 92 Stat. 2723; Pub. L. 96-106, § 10(a), Nov. 9, 1979, 93 Stat. 798, related to projects for safer off-system roads.

**CHAPTER 3—GENERAL PROVISIONS**

Sec.	
301.	Freedom from tolls.
302.	State transportation department.
[303.]	Repealed.]
304.	Participation by small business enterprises.
305.	Archeological and paleontological salvage.
306.	Mapping.
[307.]	Repealed.]
308.	Cooperation with Federal and State agencies and foreign countries.
[309.]	Repealed.]
310.	Civil defense.
311.	Highway improvements strategically important to the national defense.
312.	Detail of Army, Navy, and Air Force officers.
313.	Buy America.
314.	Relief of employees in hazardous work.
315.	Rules, regulations, and recommendations.
316.	Consent by United States to conveyance of property.
317.	Appropriation for highway purposes of lands or interests in lands owned by the United States.
318.	Highway relocation due to airport.
319.	Landscaping and scenic enhancement.
320.	Bridges on Federal dams.
321.	Signs identifying funding sources.
322.	Magnetic levitation transportation technology deployment program.
323.	Donations and credits.
324.	Prohibition of discrimination on the basis of sex.
325.	State assumption of responsibilities for certain programs and projects.
326.	State assumption of responsibility for categorical exclusions.
327.	Surface transportation project delivery program.
328.	Eligibility for environmental restoration and pollution abatement.
329.	Eligibility for control of noxious weeds and aquatic noxious weeds and establishment of native species.
330.	Program for eliminating duplication of environmental reviews.

**Editorial Notes**

**AMENDMENTS**

2015—Pub. L. 114-94, div. A, title I, § 1309(d), Dec. 4, 2015, 129 Stat. 1397, added item 330.

2012—Pub. L. 112-141, div. A, title I, § 1519(c)(1)(C), July 6, 2012, 126 Stat. 575, struck out items 303 “Management systems” and 309 “Cooperation with other American Republics”.

Pub. L. 112-141, div. A, title I, § 1313(i), July 6, 2012, 126 Stat. 547, which directed amendment of item 327 in the analysis of title 23, United States Code, by substituting “Surface transportation project delivery program” for “Surface transportation project delivery pilot program”, was executed to the analysis for this chapter, to reflect the probable intent of Congress.

2005—Pub. L. 109-59, title I, §§ 1901(b), 1903(b), title VI, §§ 6003(b), 6004(b), 6005(b), 6006(c), Aug. 10, 2005, 119 Stat. 1464, 1465, 1867, 1868, 1872, 1873, added items 313, 321, and 325 to 329.

1998—Pub. L. 105-178, title I, §§ 1212(a)(2)(B)(i), 1218(b), 1301(d)(3), title V, § 5119(c), June 9, 1998, 112 Stat. 193,

219, 226, 452, substituted “State transportation department” for “State highway department” in item 302, struck out items 307 “Research and planning” and 321 “National Highway Institute”, added item 322, substituted “Donations and credits” for “Donations” in item 323, and struck out items 325 “International highway transportation outreach program” and 326 “Education and training program”.

1991—Pub. L. 102-240, title I, § 1034(b), title VI, §§ 6003(b), 6004(b), Dec. 18, 1991, 105 Stat. 1978, 2168, 2169, added items 303, 325, and 326.

1987—Pub. L. 100-17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173, struck out item 322 “Demonstration project—rail crossings”.

1983—Pub. L. 97-449, § 5(d)(2), Jan. 12, 1983, 96 Stat. 2442, struck out item 303 “Bureau organization”.

1973—Pub. L. 93-87, title I, §§ 145(b), 162(b), Aug. 13, 1973, 87 Stat. 273, 280, added items 323 and 324.

1970—Pub. L. 91-605, title I, § 115(b), title II, § 205(b), Dec. 31, 1970, 84 Stat. 1723, 1743, added items 321 and 322.

1966—Pub. L. 89-564, title I, § 102(b)(2), Sept. 9, 1966, 80 Stat. 735, struck out item 313 relating to Highway Safety Conference.

1965—Pub. L. 89-285, title III, § 301(b), Oct. 22, 1965, 79 Stat. 1032, inserted “and scenic enhancement” after “Landscaping” in item 319.

**§ 301. Freedom from tolls**

Except as provided in section 129 of this title with respect to certain toll bridges and toll tunnels, all highways constructed under the provisions of this title shall be free from tolls of all kinds.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 912.)

**§ 302. State transportation department**

(a) Any State desiring to avail itself of the provisions of this title shall have a State transportation department which shall have adequate powers, and be suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by this title. In meeting the provisions of this subsection, a State may engage, to the extent necessary or desirable, the services of private engineering firms.

(b) EFFECT OF COMPLIANCE.—Compliance with subsection (a) shall have no effect on the eligibility of costs.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 912; Pub. L. 89-574, § 11, Sept. 13, 1966, 80 Stat. 770; Pub. L. 105-178, title I, § 1212(a)(1), (2)(A)(i), (B)(ii), June 9, 1998, 112 Stat. 193.)

**Editorial Notes**

**AMENDMENTS**

1998—Pub. L. 105-178, § 1212(a)(2)(B)(ii), substituted “State transportation department” for “State highway department” in section catchline.

Subsec. (a). Pub. L. 105-178, § 1212(a)(1)(A), (2)(A)(i), substituted “State transportation department” for “State highway department” and struck out after first sentence “Among other things, the organization shall include a secondary road unit.”

Subsec. (b). Pub. L. 105-178, § 1212(a)(1)(B), added subsec. (b) and struck out former subsec. (b) which read as follows: “The State highway department may arrange with a county or group of counties for competent highway engineering personnel suitably organized and equipped to the satisfaction of the State highway department, to supervise construction and maintenance on a county-unit or group-unit basis, for the construction of projects on the Federal-aid secondary system, financed with secondary funds, and for the maintenance thereof.”