

Code of Federal Regulations (or successor regulations), if a State notifies the Federal Highway Administration, the State may allow the maintenance of a sign of a service club, charitable association, or religious service organization—

“(1) that exists on the date of enactment of this Act [Dec. 4, 2015] (or was removed in the 3-year period ending on such date of enactment); and

“(2) the area of which is less than or equal to 32 square feet.”

#### STUDY OF STATE PRACTICES ON SPECIFIC SERVICE SIGNING

Pub. L. 105-178, title I, §1213(g), June 9, 1998, 112 Stat. 202, required the Secretary to conduct a study to determine the practices in the States for specific service food signs described in sections 2G-5.7 and 2G-5.8 of the Manual on Uniform Traffic Control Devices for Streets and Highways, and to transmit to Congress, not later than 1 year after June 9, 1998, a report on the results of the study, including any recommendations and, if appropriate, modifications to the Manual.

#### EFFECT OF 1991 AMENDMENT ON STATE COMPLIANCE LAWS OR REGULATIONS

Pub. L. 102-240, title I, §1046(d), Dec. 18, 1991, 105 Stat. 1996, provided that: “The amendments made by this section [amending this section] shall not affect the status or validity of any existing compliance law or regulation adopted by a State pursuant to section 131 of title 23, United States Code.”

#### USE OF TOURIST ORIENTED DIRECTIONAL SIGNS

Pub. L. 102-240, title I, §1059, Dec. 18, 1991, 105 Stat. 2003, provided that:

“(a) IN GENERAL.—The Secretary shall encourage the States to provide for equitable participation in the use of tourist oriented directional signs or ‘logo’ signs along the Interstate System and the Federal-aid primary system (as defined under section 131(t) of title 23, United States Code).

“(b) STUDY.—Not later than 1 year after the effective date of this title [Dec. 18, 1991], the Secretary shall conduct a study and report to Congress on the participation in the use of signs referred to in subsection (a) and the practices of the States with respect to the use of such signs.”

#### HIGHWAY BEAUTIFICATION COMMISSION

Pub. L. 91-605, title I, §123, Dec. 31, 1970, 84 Stat. 1727, as amended by Pub. L. 93-6, Feb. 16, 1973, 87 Stat. 6, established the Commission on Highway Beautification to (1) study existing statutes and regulations governing control of outdoor advertising and junkyards in areas adjacent to Federal-aid highway system, (2) review policies and practices of Federal and State agencies charged with administrative jurisdiction over such highways insofar as such policies and practices relate to governing control of outdoor advertising and junkyards, (3) compile data necessary to understand and determine the requirements for such control which may now exist or are likely to exist within foreseeable future, (4) study problems relating to control of on-premise outdoor advertising signs, promotional signs, directional signs, and signs providing information that is essential to motoring public, (5) study methods of financing and possible sources of Federal funds, including use of the Highway Trust Fund, to carry out highway beautification program, and (6) recommend such modifications or additions to existing laws, regulations, policies, practices, and demonstration programs as will, in judgment of the Commission, achieve a workable and effective highway beautification program and best serve the public interest and to submit, not later than Dec. 31, 1973, its final report. The Commission terminated six months after submission of said report.

#### COMPREHENSIVE STUDY ON HIGHWAY BEAUTIFICATION PROGRAMS

Pub. L. 89-285, title III, §302, Oct. 22, 1965, 79 Stat. 1032, provided that in order to provide the basis for evaluating the continuing programs authorized by Pub. L. 89-285, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of carrying out the provisions of Pub. L. 89-285, and a comprehensive study of the economic impact of such programs on affected individuals and commercial and industrial enterprises, the effectiveness of such programs and the public and private benefits realized thereby, and alternate or improved methods of accomplishing the objectives of Pub. L. 89-285. The Secretary was required to submit such detailed estimate and a report concerning such comprehensive study to the Congress not later than Jan. 10, 1967.

#### STANDARDS, CRITERIA, RULES AND REGULATIONS

Pub. L. 89-285, title III, §303, Oct. 22, 1965, 79 Stat. 1033, mandated the holding of public hearings by the Secretary of Commerce prior to the promulgation of standards, criteria and rules and regulations necessary to carry out this section and section 136 of this title, such standards, criteria, etc., to be reported to Congress not later than Jan. 10, 1967.

#### ACQUISITION OF DWELLINGS

Pub. L. 89-285, title III, §305, Oct. 22, 1965, 79 Stat. 1033, provided that: “Nothing in this Act or the amendments made by this Act [amending this section and section 319 of this title and enacting section 136 of this title and provisions set out as notes under this section and sections 135 and 136 of this title] shall be construed to authorize the use of eminent domain to acquire any dwelling (including related buildings).”

#### TAKING OF PRIVATE PROPERTY WITHOUT JUST COMPENSATION

Pub. L. 89-285, title IV, §401, Oct. 22, 1965, 79 Stat. 1033, provided that: “Nothing in this Act or the amendments made by this Act [amending this section and section 319 of this title and enacting section 136 of this title and provisions set out as notes under sections 131, 135, and 136 of this title] shall be construed to authorize private property to be taken or the reasonable and existing use restricted by such taking without just compensation as provided in this Act.”

#### AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR ADMINISTRATIVE EXPENSES

Pub. L. 89-285, title IV, §402, Oct. 22, 1965, 79 Stat. 1033, as amended by Pub. L. 97-449, §2(a), Jan. 12, 1983, 96 Stat. 2439, provided that: “In addition to any other amounts authorized by this Act and the amendments made by this Act [amending this section and section 319 of this title and enacting section 136 of this title and provisions set out as notes under this section and sections 135 and 136 of this title], there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary not to exceed \$5,000,000 for administrative expenses in carrying out this Act (including amendments made by this Act).”

#### § 132. Payments on Federal-aid projects undertaken by a Federal agency

(a) IN GENERAL.—In a case in which a proposed Federal-aid project is to be undertaken by a Federal agency in accordance with an agreement between a State and the Federal agency, the State may—

(1) direct the Secretary to transfer the funds for the Federal share of the project directly to the Federal agency; or

(2) make such deposit with, or payment to, the Federal agency as is required to meet the obligation of the State under the agreement for the work undertaken or to be undertaken by the Federal agency.

(b) REIMBURSEMENT.—On execution with a State of a project agreement described in subsection (a), the Secretary may reimburse the State, using any available funds, for the estimated Federal share under this title of the obligation of the State deposited or paid under subsection (a)(2).

(c) RECOVERY AND CREDITING OF FUNDS.—Any sums reimbursed to the State under this section which may be in excess of the Federal pro rata share under the provisions of this title of the State's share of the cost as set forth in the approved final voucher submitted by the State shall be recovered and credited to the same class of funds from which the Federal payment under this section was made.

(Added Pub. L. 86-657, §4(a), July 14, 1960, 74 Stat. 522; amended Pub. L. 109-59, title I, §1119(b), Aug. 10, 2005, 119 Stat. 1182.)

### Editorial Notes

#### AMENDMENTS

2005—Pub. L. 109-59 designated third sentence as subsec. (c), inserted heading, and substituted subsecs. (a) and (b) for first and second sentences which read as follows: "Where a proposed Federal-aid project is to be undertaken by a Federal agency pursuant to an agreement between a State and such Federal agency and the State makes a deposit with or payment to such Federal agency as may be required in fulfillment of the State's obligation under such agreement for the work undertaken or to be undertaken by such Federal agency, the Secretary, upon execution of a project agreement with such State for the proposed Federal-aid project, may reimburse the State out of the appropriate appropriations the estimated Federal share under the provisions of this title of the State's obligation so deposited or paid by such State. Upon completion of such project and its acceptance by the Secretary, an adjustment shall be made in such Federal share payable on account of such project based on the final cost thereof."

### § 133. Surface transportation block grant program

(a) ESTABLISHMENT.—The Secretary shall establish a surface transportation block grant program in accordance with this section to provide flexible funding to address State and local transportation needs.

(b) ELIGIBLE PROJECTS.—Funds apportioned to a State under section 104(b)(2) for the surface transportation block grant program may be obligated for the following:

(1) Construction of—

(A) highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40;

(B) ferry boats and terminal facilities—

(i) that are eligible for funding under section 129(c); or

(ii) that are privately or majority-privately owned, but that the Secretary determines provide a substantial public transportation benefit or otherwise meet the foremost needs of the surface transpor-

tation system described in section 101(b)(3)(D);

(C) transit capital projects eligible for assistance under chapter 53 of title 49;

(D) infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment;

(E) truck parking facilities eligible for funding under section 1401 of MAP-21 (23 U.S.C. 137 note);

(F) border infrastructure projects eligible for funding under section 1303 of SAFETEA-LU (23 U.S.C. 101 note); and

(G) wildlife crossing structures.

(2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs.

(3) Environmental measures eligible under sections 119(g), 148(a)(4)(B)(xvii), 328, and 329 and transportation control measures listed in section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).

(5)<sup>1</sup> Highway and transit safety infrastructure improvements and programs, including projects eligible under section 130 and installation of safety barriers and nets on bridges.

(6) Fringe and corridor parking facilities and programs in accordance with section 137 and carpool projects in accordance with section 146.

(7) Recreational trails projects eligible for funding under section 206 including the maintenance and restoration of existing recreational trails,<sup>2</sup> pedestrian and bicycle projects in accordance with section 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the safe routes to school program under section 208.

(8) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

(9) Development and implementation of a State asset management plan for the National Highway System and a performance-based management program for other public roads.

(10) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.

(11) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of this title.

(12) Surface transportation infrastructure modifications to facilitate direct intermodal

<sup>1</sup> So in original. There is no par. (4).

<sup>2</sup> So in original.