

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund (other than the Mass Transit Account), \$25,000,000 for each of fiscal years 2006 through 2009.

“(2) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this section shall be available for obligation in the same manner and to the same extent as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of the project shall be 100 percent, and the funds shall remain available until expended and shall not be transferable.

“(g) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects assisted under this subsection shall be treated as projects on a Federal-aid system under chapter 1 of title 23, United States Code.”

DESIGN GUIDANCE

Pub. L. 105-178, title I, § 1202(b), June 9, 1998, 112 Stat. 169, provided that:

“(1) IN GENERAL.—In implementing section 217(g) of title 23, United States Code, the Secretary, in cooperation with the American Association of State Highway and Transportation Officials, the Institute of Transportation Engineers, and other interested organizations, shall develop guidance on the various approaches to accommodating bicycles and pedestrian travel.

“(2) ISSUES TO BE ADDRESSED.—The guidance shall address issues such as the level and nature of the demand, volume, and speed of motor vehicle traffic, safety, terrain, cost, and sight distance.

“(3) RECOMMENDATIONS.—The guidance shall include recommendations on amending and updating the policies of the American Association of State Highway and Transportation Officials relating to highway and street design standards to accommodate bicyclists and pedestrians.

“(4) TIME PERIOD FOR DEVELOPMENT.—The guidance shall be developed within 18 months after the date of enactment of this Act [June 9, 1998].”

ENERGY CONSERVATION BICYCLE TRANSPORTATION PROGRAM; REPORT

Pub. L. 95-619, title VI, § 682, Nov. 9, 1978, 92 Stat. 3287, set forth findings respecting an energy conservation bicycle transportation program and required a study and report not more than one year after Nov. 9, 1978, by the Secretary of Transportation for bicycle use potential, etc.

BIKEWAY CONSTRUCTION PROJECTS

Pub. L. 95-599, title I, § 141(a)-(e), (i), Nov. 6, 1978, 92 Stat. 2711, 2712, related to establishment by Secretary of design and construction standards for bikeway construction projects and to grants to States for bikeway construction projects, prior to repeal by Pub. L. 100-17, title I, § 133(e)(2), Apr. 2, 1987, 101 Stat. 173.

BIKEWAY DEMONSTRATION PROGRAM

Pub. L. 93-643, § 119, Jan. 4, 1975, 88 Stat. 2288, authorized grants to States for demonstration projects for construction of bikeways, prior to repeal by Pub. L. 100-17, title I, § 133(e)(2), Apr. 2, 1987, 101 Stat. 173.

§ 218. Alaska Highway

(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction of the Alaska Highway from the Alaskan border at Beaver Creek, Yukon Territory, to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to Haines, Alaska, the Secretary may provide for the necessary reconstruction of the highway using funds awarded through an applicable competitive grant program, if the highway meets all applicable eligi-

bility requirements for the program, except for the specific requirements established by the agreement for the Alaska Highway Project between the Government of the United States and the Government of Canada. In addition to the funds described in the previous sentence, notwithstanding any other provision of law and on agreement with the State of Alaska, the Secretary is authorized to expend on such highway or the Alaska Marine Highway System any Federal-aid highway funds apportioned to the State of Alaska under this title at a Federal share of 100 per centum. No expenditures shall be made for the construction of the portion of such highways that are in Canada unless an agreement is in place between the Government of Canada and the Government of the United States (including an agreement in existence on the date of enactment of the Surface Transportation Reauthorization Act of 2021) that provides, in part, that the Canadian Government—

(1) will provide, without participation of funds authorized under this title, all necessary right-of-way for the reconstruction of such highways;

(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

(4) will continue to grant reciprocal recognition of vehicle registration and driver's licenses in accordance with agreements between the United States and Canada; and

(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

(b) The survey and construction work undertaken in Canada pursuant to this section shall be under the general supervision of the Secretary.

(c) For purposes of this section, the term “Alaska Marine Highway System” includes all existing or planned transportation facilities and equipment in Alaska, including the lease, purchase, operation, repair, or construction of vessels, terminals, docks, floats, ramps, staging areas, parking lots, bridges and approaches thereto, and necessary roads.

(d) Notwithstanding any other provision of law, a project assisted under this section in the State of Alaska shall be treated as a project on a Federal-aid highway under chapter 1.

(Added Pub. L. 93-87, title I, § 127(a)(1), Aug. 13, 1973, 87 Stat. 264; amended Pub. L. 94-147, Dec. 12, 1975, 89 Stat. 803; Pub. L. 97-424, title I, § 158, Jan. 6, 1983, 96 Stat. 2135; Pub. L. 105-277, div. A, § 101(g) [title III, § 316], Oct. 21, 1998, 112 Stat. 2681-439, 2681-468; Pub. L. 108-7, div. I, title III, § 327, Feb. 20, 2003, 117 Stat. 413; Pub. L. 109-59, title IV, § 4409, Aug. 10, 2005, 119 Stat. 1778; Pub. L. 112-141, div. A, title I, § 1519(c)(10), formerly § 1519(c)(11), July 6, 2012, 126 Stat. 576, renumbered § 1519(c)(10), Pub. L. 114-94, div. A, title I, § 1446(d)(5)(B), Dec. 4, 2015, 129 Stat. 1438; Pub. L. 117-58, div. A, title I, § 11116, div. G, title XI, § 71103(g)(2), Nov. 15, 2021, 135 Stat. 482, 1326.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Surface Transportation Reauthorization Act of 2021, referred to in subsec. (a), is the date of enactment of div. A of Pub. L. 117-58, which was approved Nov. 15, 2021.

AMENDMENTS

2021—Pub. L. 117-58, §11116, amended section generally. Prior to amendment, section read as follows:

“(a) Notwithstanding any other provision of law upon agreement with the State of Alaska, the Secretary is authorized to expend on the Alaska Marine Highway System any Federal-aid highway funds apportioned to the State of Alaska under this title at a Federal share of 100 per centum.

“(b) For purposes of this section, the term “Alaska Marine Highway System” includes all existing or planned transportation facilities and equipment in Alaska, including the lease, purchase, or construction of vessels, terminals, docks, floats, ramps, staging areas, parking lots, bridges and approaches thereto, and necessary roads.”

Subsec. (c). Pub. L. 117-58, §71103(g)(2), inserted “operation, repair,” after “purchase.”

2015—Pub. L. 114-94 amended Pub. L. 112-141, §1519(c). See 2012 Amendment notes below.

2012—Subsec. (a). Pub. L. 112-141, §1519(c)(10)(A), formerly §1519(c)(11)(A), as renumbered by Pub. L. 114-94, §1446(d)(5)(B), designated third sentence as subsec. (a), struck out “, in addition to such funds,” after “provision of law” and “such highway or” after “expend on”, and struck out former first, second, fourth, and fifth sentences, including pars. (1) to (5), relating to reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to Haines, appropriations for reconstruction, obligation limitation enacted for fiscal year 1983, and certain restrictions on expenditures for construction of highways in Canada.

Subsecs. (b), (c). Pub. L. 112-141, §1519(c)(10)(B), (C), formerly §1519(c)(11)(B), (C), as renumbered by Pub. L. 114-94, §1446(d)(5)(B), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: “The survey and construction work undertaken in Canada pursuant to this section shall be under the general supervision of the Secretary.”

2005—Subsec. (a). Pub. L. 109-59, §4409(1), struck out “prior to the date of the enactment of the reauthorization of the Transportation Equity Act for the 21st Century” before “shall not apply” in introductory provisions.

Subsec. (c). Pub. L. 109-59, §4409(2), added subsec. (c). 2003—Subsec. (a). Pub. L. 108-7 inserted “reauthorization of the” before “Transportation”.

1998—Subsec. (a). Pub. L. 105-277, §101(g) [title III, §316(1)(A)], substituted “to Haines” for “to the south Alaskan border” in first sentence, substituted “such highway or the Alaska Marine Highway System” for “such highway” in third sentence, substituted “any other fiscal year thereafter, including any portion of any other fiscal year thereafter, prior to the date of the enactment of the Transportation Equity Act for the 21st Century” for “any other fiscal year thereafter” in fourth sentence, substituted “construction of the portion of such highways that are in Canada until an agreement” for “construction of such highways until an agreement” in fifth sentence.

Subsec. (b). Pub. L. 105-277, §101(g) [title III, §316(2)], inserted “in Canada” after “undertaken”.

1983—Subsec. (a). Pub. L. 97-424 inserted provision that notwithstanding any other provision of law, upon agreement with the State of Alaska, the Secretary is authorized to expend on the highway any Federal-aid highway funds apportioned to the State of Alaska under this title at a Federal share of 100 per centum, and that any obligation limitation enacted for fiscal

year 1983 or for any other fiscal year thereafter shall not apply to such projects.

1975—Subsec. (a)(1). Pub. L. 94-147 struck out provision requiring that the right-of-way granted by the Canadian Government shall forever be held inviolate as part of such highways in public use.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 11116 of Pub. L. 117-58 effective Oct. 1, 2021, see section 10003 of Pub. L. 117-58, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-94, div. A, title I, §1446(d), Dec. 4, 2015, 129 Stat. 1438, provided that the amendment made by section 1446(d)(5)(B) is effective as of July 6, 2012, and as if included in Pub. L. 112-141 as enacted.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 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.

ALASKAN ROADS STUDY; INVESTIGATION; REPORT TO CONGRESS

Pub. L. 94-280, title I, §151, May 5, 1976, 90 Stat. 448, authorized the Secretary of Transportation to undertake an investigation and study to determine the cost of, and the responsibility for, repairing the damage to Alaska highways that has been or will be caused by heavy truck traffic during construction of the trans-Alaska pipeline, and required the Secretary to report the initial findings to the Congress on or before Sept. 30, 1976, and the final conclusions on rebuilding costs no later than three months after completion of pipeline construction.

APPROPRIATIONS AUTHORIZATION

Pub. L. 93-87, title I, §127(b), Aug. 13, 1973, 87 Stat. 264, provided that: “For the purpose of completing necessary reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border there is authorized to be appropriated the sum of \$58,670,000 to be expended in accordance with the provisions of section 218 of title 23 of the United States Code.”

[§ 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.	Freedom from tolls.
301.	State transportation department.
302.	Repealed.]
[303.	Participation by small business enterprises.
304.	Archeological and paleontological salvage.
305.	Mapping.
306.	Repealed.]
[307.	Cooperation with Federal and State agencies and foreign countries.
308.	Repealed.]
[309.	Civil defense.
310.	Highway improvements strategically important to the national defense.
311.	Detail of Army, Navy, and Air Force officers.
312.	Buy America.
313.	