

(2) **EXTENSION.**—The head of the relevant agency may extend the review period under paragraph (1) by not more than 30 days if the head of the relevant agency provides to the State written notice that includes an explanation of the need for the extension.

(3) **FAILURE TO ACT.**—If the head of the relevant agency fails to meet a deadline under paragraph (1) or (2), as applicable, the head of the relevant agency shall—

(A) not later than 30 days after the date of the missed deadline, submit to the State, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes why the deadline was missed; and

(B) not later than 14 days after the date on which a report is submitted under subparagraph (A), make publicly available, including on the internet, a copy of that report.

(Added Pub. L. 117-58, div. A, title I, §11309(a), Nov. 15, 2021, 135 Stat. 535.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2021, see section 10003 of Pub. L. 117-58, set out as an Effective Date of 2021 Amendment note under section 101 of this title.

§ 332. Pollinator-friendly practices on roadsides and highway rights-of-way

(a) **IN GENERAL.**—The Secretary shall establish a program to provide grants to eligible entities to carry out activities to benefit pollinators on roadsides and highway rights-of-way, including the planting and seeding of native, locally-appropriate grasses and wildflowers, including milkweed.

(b) **ELIGIBLE ENTITIES.**—An entity eligible to receive a grant under this section is—

- (1) a State department of transportation;
- (2) an Indian tribe; or
- (3) a Federal land management agency.

(c) **APPLICATION.**—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a pollinator-friendly practices plan described in subsection (d).

(d) **POLLINATOR-FRIENDLY PRACTICES PLAN.**—

(1) **IN GENERAL.**—An eligible entity shall include in the application under subsection (c) a plan that describes the pollinator-friendly practices that the eligible entity has implemented or plans to implement, including—

(A) practices relating to mowing strategies that promote early successional vegetation and limit disturbance during periods of highest use by target pollinator species on roadsides and highway rights-of-way, such as—

- (i) reducing the mowing swath outside of the State-designated safety zone;
- (ii) increasing the mowing height;
- (iii) reducing the mowing frequency;
- (iv) refraining from mowing monarch and other pollinator habitat during periods in which monarchs or other pollinators are present;

(v) use of a flushing bar and cutting at reduced speeds to reduce pollinator deaths due to mowing; or

(vi) reducing raking along roadsides and highway rights-of-way;

(B) implementation of an integrated vegetation management plan that includes approaches such as mechanical tree and brush removal, targeted and judicious use of herbicides, and mowing, to address weed issues on roadsides and highway rights-of-way;

(C) planting or seeding of native, locally-appropriate grasses and wildflowers, including milkweed, on roadsides and highway rights-of-way to enhance pollinator habitat, including larval host plants;

(D) removing nonnative grasses from planting and seeding mixes, except for use as nurse or cover crops;

(E) obtaining expert training or assistance on pollinator-friendly practices, including—

- (i) native plant identification;
- (ii) establishment and management of locally-appropriate native plants that benefit pollinators;
- (iii) land management practices that benefit pollinators; and
- (iv) pollinator-focused integrated vegetation management; or

(F) any other pollinator-friendly practices the Secretary determines to be appropriate.

(2) **COORDINATION.**—In developing a plan under paragraph (1), an eligible entity that is a State department of transportation or a Federal land management agency shall coordinate with applicable State agencies, including State agencies with jurisdiction over agriculture and fish and wildlife.

(3) **CONSULTATION.**—In developing a plan under paragraph (1)—

(A) an eligible entity that is a State department of transportation or a Federal land management agency shall consult with affected or interested Indian tribes; and

(B) any eligible entity may consult with nonprofit organizations, institutions of higher education, metropolitan planning organizations, and any other relevant entities.

(e) **AWARD OF GRANTS.**—

(1) **IN GENERAL.**—The Secretary shall provide a grant to each eligible entity that submits an application under subsection (c), including a plan under subsection (d), that the Secretary determines to be satisfactory.

(2) **AMOUNT OF GRANTS.**—The amount of a grant under this section—

(A) shall be based on the number of pollinator-friendly practices the eligible entity has implemented or plans to implement; and

(B) shall not exceed \$150,000.

(f) **USE OF FUNDS.**—An eligible entity that receives a grant under this section shall use the funds for the implementation, improvement, or further development of the plan under subsection (d).

(g) **FEDERAL SHARE.**—The Federal share of the cost of an activity carried out with a grant under this section shall be 100 percent.

(h) **BEST PRACTICES.**—The Secretary shall develop and make available to eligible entities

best practices for, and a priority ranking of, pollinator-friendly practices on roadsides and highway rights-of-way.

(i) **TECHNICAL ASSISTANCE.**—On request of an eligible entity that receives a grant under this section, the Secretary shall provide technical assistance with the implementation, improvement, or further development of a plan under subsection (d).

(j) **ADMINISTRATIVE COSTS.**—For each fiscal year, the Secretary may use not more than 2 percent of the amounts made available to carry out this section for the administrative costs of carrying out this section.

(k) **REPORT.**—Not later than 1 year after the date on which the first grant is provided under this section, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of the program under this section.

(l) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2022 through 2026.

(2) **AVAILABILITY.**—Amounts made available under this section shall remain available for a period of 3 years after the last day of the fiscal year for which the funds are authorized.

(Added Pub. L. 117–58, div. A, title I, §11528(a), Nov. 15, 2021, 135 Stat. 610.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2021, see section 10003 of Pub. L. 117–58, set out as an Effective Date of 2021 Amendment note under section 101 of this title.

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. | General requirements for Federal assistance. |
| 407. | Discovery and admission as evidence of certain reports and surveys. |
| 408. | Agency accountability. |
| [409. | Renumbered.] |
| [410, 411. | Repealed.] |
| [412. | Renumbered.] |

Editorial Notes

AMENDMENTS

2021—Pub. L. 117–58, div. B, title IV, §24101(d)(2), Nov. 15, 2021, 135 Stat. 785, which directed amendment of this analysis by striking out items 406 to 412 and adding new items 406 to 408, was executed by adding new items 406 to 408 and striking out items 409 “Discovery and admission as evidence of certain reports and surveys” and 412 “Agency accountability” to reflect the probable intent of Congress, as items 406 to 408, 410, and 411 had already been struck out by Pub. L. 112–141. See 2012 Amendment note below.

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98–363, §3(c), July 17, 1984, 98 Stat. 436, provided that: “The amendments made by subsections (a)