

L. 104-59, title III, §323, Nov. 28, 1995, 109 Stat. 591; Pub. L. 109-59, title I, §1401(a)(3)(C), Aug. 10, 2005, 119 Stat. 1225; renumbered §407, Pub. L. 117-58, div. B, title IV, §24101(d)(1)(A), Nov. 15, 2021, 135 Stat. 784.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 407, added Pub. L. 95-599, title II, §208(a), Nov. 6, 1978, 92 Stat. 2732, related to innovative project grants, prior to repeal by Pub. L. 112-141, §3(a), div. C, title I, §31109(c), July 6, 2012, 126 Stat. 413, 756, effective Oct. 1, 2012.

##### AMENDMENTS

2021—Pub. L. 117-58, which directed the amendment of this chapter by renumbering section 409 “and” section 407, was executed by renumbering section 409 as this section as if “and” had read “as”, to reflect the probable intent of Congress.

### § 408. Agency accountability

#### (a) TRIENNIAL STATE MANAGEMENT REVIEWS.—

(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary shall conduct a review of each State highway safety program at least once every 3 years.

(2) EXCEPTIONS.—The Secretary may conduct reviews of the highway safety programs of the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands as often as the Secretary determines to be appropriate.

(3) COMPONENTS.—Reviews under this subsection shall include—

(A) a management evaluation of all grant programs funded under this chapter;

(B) an assessment of State data collection and evaluation relating to performance measures established by the Secretary;

(C) a comparison of State efforts under subparagraphs (A) and (B) to best practices and programs that have been evaluated for effectiveness; and

(D) the development of recommendations on how each State could—

(i) improve the management and oversight of its grant activities; and

(ii) provide a management and oversight plan for such grant programs.

(b) RECOMMENDATIONS BEFORE SUBMISSION.—In order to provide guidance to State highway safety agencies on matters that should be addressed in the goals and initiatives of the State highway safety program before the program is submitted for review, the Secretary shall provide data-based recommendations to each State at least 90 days before the date on which the program is to be submitted for approval.

(c) STATE PROGRAM REVIEW.—The Secretary shall—

(1) conduct a program improvement review of a highway safety program under this chapter of a State that does not make substantial progress over a 3-year period in meeting its priority program goals; and

(2) provide technical assistance and safety program requirements to be incorporated in the State highway safety program for any goal not achieved.

(d) REGIONAL HARMONIZATION.—The Secretary and the Inspector General of the Department of Transportation shall undertake an administrative review of the practices and procedures of the management reviews and program reviews of State highway safety programs under this chapter conducted by the regional offices of the National Highway Traffic Safety Administration and prepare a written report of best practices and procedures for use by the regional offices in conducting such reviews. The report shall be completed within 180 days after the date of enactment of this section.

#### (e) BEST PRACTICES GUIDELINES.—

(1) UNIFORM GUIDELINES.—The Secretary shall issue uniform management review guidelines and program review guidelines based on the report under subsection (d). Each regional office shall use the guidelines in executing its State administrative review duties under this section.

(2) PUBLICATION.—The Secretary shall make publicly available on the Web site (or successor electronic facility) of the Administration the following documents upon their completion:

(A) The Secretary’s management review guidelines and program review guidelines.

(B) All State highway safety programs submitted under this chapter.

(C) State annual accomplishment reports.

(D) The Administration’s Summary Report of findings from Management Reviews and Improvement Plans.

(3) REPORTS TO STATE HIGHWAY SAFETY AGENCIES.—The Secretary may not make publicly available a program, report, or review under paragraph (2) that is directed to a State highway safety agency until after the date on which the program, report, or review is submitted to that agency under this chapter.

(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.

(Added Pub. L. 109-59, title II, §2008(a), Aug. 10, 2005, 119 Stat. 1533, §412; amended Pub. L. 112-141, div. C, title I, §31107, July 6, 2012, 126 Stat. 755; Pub. L. 114-94, div. A, title IV, §4006, Dec. 4, 2015, 129 Stat. 1510; renumbered §408, Pub. L. 117-58, div. B, title IV, §24101(d)(1)(A), Nov. 15, 2021, 135 Stat. 784.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 408, added Pub. L. 97-364, title I, §101(a), Oct. 25, 1982, 96 Stat. 1738; amended Pub. L. 98-363, §§4, 7, July 17, 1984, 98 Stat. 436, 438; Pub. L. 100-17, title II, §203(a), (b), Apr. 2, 1987, 101 Stat. 219; Pub. L. 109-59, title II, §2006(a), Aug. 10, 2005, 119 Stat. 1527, related to State traffic safety information system improvements, prior to repeal by Pub. L. 112-141, §3(a), div. C, title I, §31109(d), July 6, 2012, 126 Stat. 413, 756, effective Oct. 1, 2012.

##### AMENDMENTS

2021—Pub. L. 117-58, which directed the amendment of this chapter by renumbering section 412 “and” section

408, was executed by renumbering section 412 as this section as if “and” had read “as”, to reflect the probable intent of Congress.

### [§ 409. Renumbered § 407]

### [§§ 410, 411. Repealed. Pub. L. 112–141, div. C, title I, § 31109(e), (f), July 6, 2012, 126 Stat. 757]

Section 410, added Pub. L. 100–690, title IX, §9002(a), Nov. 18, 1988, 102 Stat. 4521; amended Pub. L. 101–516, title III, §336, Nov. 5, 1990, 104 Stat. 2186; Pub. L. 102–240, title II, §2004(a), Dec. 18, 1991, 105 Stat. 2073; Pub. L. 102–388, title VI, §§601–606, Oct. 6, 1992, 106 Stat. 1569, 1570; Pub. L. 104–59, title III, §324, Nov. 28, 1995, 109 Stat. 591; Pub. L. 105–18, title II, §8003, June 12, 1997, 111 Stat. 195; Pub. L. 105–130, §6(b), Dec. 1, 1997, 111 Stat. 2558; Pub. L. 105–178, title II, §2004(a), June 9, 1998, 112 Stat. 328; Pub. L. 108–88, §6(e)(1), Sept. 30, 2003, 117 Stat. 1120; Pub. L. 108–310, §6(e)(1), Sept. 30, 2004, 118 Stat. 1152; Pub. L. 109–59, title II, §2007(a), (b), Aug. 10, 2005, 119 Stat. 1529; Pub. L. 110–244, title III, §303(c)(2), (3), June 6, 2008, 122 Stat. 1619; Pub. L. 111–147, title IV, §421(f)(1), Mar. 18, 2010, 124 Stat. 85; Pub. L. 112–30, title I, §121(f)(1), Sept. 16, 2011, 125 Stat. 347, related to alcohol-impaired driving countermeasures.

Section 411, added Pub. L. 105–178, title II, §2005(a), June 9, 1998, 112 Stat. 332; amended Pub. L. 110–244, title III, §303(c)(4), June 6, 2008, 122 Stat. 1619, related to State highway safety data improvements.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF REPEAL

Repeal 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.

#### REPEAL OF PROGRAMS

Pub. L. 112–141, div. C, title I, §31109(a), July 6, 2012, 126 Stat. 756, provided that: “A repeal made by this section [repealing sections 406 to 408, 410, and 411 of this title and repealing provisions set out as notes under sections 402, 403, and 405 of this title] shall not affect amounts apportioned or allocated before the effective date of such repeal [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], provided that such apportioned or allocated funds continue to be subject to the requirements to which such funds were subject under the repealed section as in effect on the day before the date of the repeal.”

### [§ 412. Renumbered § 408]

### CHAPTER 5—RESEARCH, TECHNOLOGY, AND EDUCATION

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### Editorial Notes

#### PRIOR PROVISIONS

A prior chapter 5, added Pub. L. 90–495, §30, Aug. 23, 1968, 82 Stat. 830, consisting of sections 501 to 512, related to highway relocation assistance, prior to repeal by Pub. L. 91–646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903. See section 4601 et seq. of Title 42, The Public Health and Welfare. For Effective Date of Repeal and Savings Provisions, see sections 221 and 220(b) of Pub. L. 91–646, set out as notes under sections 4601 and 4621, respectively, of Title 42.

#### AMENDMENTS

2021—Pub. L. 117–58, div. A, title III, §13009(b), Nov. 15, 2021, 135 Stat. 644, added item 520.

2015—Pub. L. 114–94, div. A, title VI, §§6010(b), 6019(d)(1)(B), Dec. 4, 2015, 129 Stat. 1568, 1581, struck out item 508 “Transportation research and development strategic planning”, substituted “National ITS program plan” for “National ITS Program Plan” in item 512, and added item 519.

2012—Pub. L. 112–141, div. E, title II, §§52002(b), 52003(b), 52006(b), 52007(b), 52008(b), title III, §§53002(b), 53003(b), 53004(b), 53005(b), 53006(b), July 6, 2012, 126 Stat. 872, 880, 882, 899, 901–903, 905, substituted “Surface transportation research, development, and technology” for “Surface transportation research” in item 502 and “Research and technology development and deployment” for “Technology deployment program” in item 503, struck out items 506 “International highway transportation outreach program”, 507 “Surface transportation environment and planning cooperative research program”, and 509 “National cooperative freight transportation research program”, and added items 514 to 518.

2008—Pub. L. 110–244, title I, §111(b)(2)(B), June 6, 2008, 122 Stat. 1605, amended Pub. L. 109–59, §5210. See 2005 Amendment note below.

2005—Pub. L. 109–59, title V, §5210(c), formerly §5210(d), Aug. 10, 2005, 119 Stat. 1804, as renumbered by Pub. L. 110–244, title I, §111(b)(2)(B), June 6, 2008, 122 Stat. 1605, added item 510.

Pub. L. 109–59, title V, §§5201(a)(2), 5207(c), 5208(b), 5209(c), 5211(c), 5301(b), 5302(b), Aug. 10, 2005, 119 Stat. 1781, 1798, 1799, 1801, 1804, 1805, substituted “RESEARCH, TECHNOLOGY, AND EDUCATION” for “RESEARCH AND TECHNOLOGY” in chapter heading, “Surface transportation environment and planning cooperative research program” for “Surface transportation-environment cooperative research program” in item 507, “Transportation research and development strategic planning” for “Surface transportation research strategic planning” in item 508, and added items 509 and 511 to 513.

### § 501. Definitions

In this chapter, the following definitions apply:

(1) **FEDERAL LABORATORY.**—The term “Federal laboratory” includes a Government-owned, Government-operated laboratory and a Government-owned, contractor-operated laboratory.

(2) **INCIDENT.**—The term “incident” means a crash, natural disaster, workzone activity, special event, or other emergency road user occurrence that adversely affects or impedes the normal flow of traffic.

(3) **INNOVATION LIFECYCLE.**—The term “innovation lifecycle” means the process of innovating through—