

# TITLE 23—HIGHWAYS

*This title was enacted by Pub. L. 85-767, §1, Aug. 27, 1958, 72 Stat. 885*

Chap.		Sec.
<b>1.</b>	<b>Federal Aid Highways<sup>1</sup></b> .....	<b>101</b>
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<b>3.</b>	<b>General Provisions</b> .....	<b>301</b>
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### Editorial Notes

#### AMENDMENTS

2005—Pub. L. 109-59, title I, §1602(e)(2), title V, 5201(a)(1), Aug. 10, 2005, 119 Stat. 1248, 1780, added items for chapters 5 and 6 and struck out item for former chapter 5 “Research and Technology”.

1998—Pub. L. 105-178, title V, §5101(1), June 9, 1998, 112 Stat. 422, added item for chapter 5.

1966—Pub. L. 89-564, title I, §102(b)(3), Sept. 9, 1966, 80 Stat. 735, added item for chapter 4.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 23

Title 23 Former Sections	Title 23 New Sections
1 .....	Rep.
2 .....	101
2a .....	101(a)
2b .....	101(a)
3 .....	Rep.
3a .....	Rep.
3b .....	Rep.
4 .....	Rep.
5 .....	Rep.
6 .....	103(b), (e), 105(c), 121(c)
6-1 .....	103(c)
6a .....	103(d)
6a-1 .....	105(d)
6a-2 .....	310
6b .....	Rep.
6c .....	Rep.
7 .....	110(a)
8 .....	109(a)
8a .....	109(a), 112(a)
9 .....	301
9a .....	129(a)
9a-1 .....	Rep.
9b .....	129(a)
10 .....	109(a)
10a .....	Rep.
10b .....	Rep.
10c .....	Rep.
11 .....	Rep.
12 .....	105(a), 106(a), (c), 121(d)
12a .....	121(c)
12b .....	Rep.
13 .....	114(a)
13-1 .....	112(b), (c)
13a .....	Rep.
13b .....	103(d)
14 .....	121(a), (b), (e)
14a .....	Elim.
15 .....	Rep.
16 .....	Rep.
17 .....	316
18 .....	317(a)-(c)
19 .....	315
20 .....	Rep.
20a .....	Rep.
21 .....	104(a), (b)(1)
21-1 .....	307(a), (b)

<sup>1</sup> So in original. Does not conform to chapter heading.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 23—Continued

Title 23 Former Sections	Title 23 New Sections
21a .....	104(b), 105(a), 106(a), 114(a), 118(a), (c)
21a-1 .....	Rep.
21a-2 .....	Elim.
21b .....	Rep.
21c .....	311
21d .....	Rep.
21e .....	122
22 .....	104(e)
23 .....	101(a), 202(b), 204(a)-(c), 205(a)-(c)
23a .....	Rep.
23b .....	Rep.
23b-1 .....	Rep.
23c .....	205(c)
24 .....	Rep.
24a .....	109(e)
25 .....	Rep.
26 .....	Rep.
41 .....	101(a), 105(e)
41a .....	101(a), 103(b)
41b .....	101(a), 103(b)
42 .....	Rep.
43 .....	Rep.
44 .....	Rep.
45 .....	Elim.
46 .....	See T. 18 §1020
47-53 .....	Rep.
54 .....	Elim.
54a .....	Rep.
54b .....	Elim.
55 .....	126
55a .....	Rep.
55b .....	126(b)
56 .....	Rep.
57 .....	314
58 .....	Elim.
59 .....	Elim.
59a .....	Rep.
60 .....	103(d)
61 .....	307(c)
62 .....	318
63 .....	109(d)
64 .....	320(a)
65 .....	320(b)
66 .....	320(c)
67 .....	320(d)
68 .....	320(e)
69 .....	320(f)
70 .....	313
71 .....	303(a)
72 .....	303 note
73 .....	303(a)
101 .....	Rep.
101a .....	Rep.
102 .....	Rep.
103 .....	Rep.
104 .....	Rep.
105 .....	Rep.
106 .....	210(a), (b)
107 .....	Rep.
108 .....	Rep.
109 .....	Rep.
110 .....	Rep.
111 .....	Rep.
112 .....	Rep.
113 .....	Rep.
114 .....	210(e)
115 .....	308(a)
116 .....	Rep.
117 .....	312
151(a) .....	104 note
151(b), (c) .....	104(c), 117(a)-(c), 118(b)
152 .....	204(f), 205(d)
153 .....	206(a), 207(a), 208(a), (b)
154 .....	209(a)
155 .....	203
156 .....	101(b), 103(f), 104(b)(1), 116(d), 119(a), (b), 120(h)

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 23—Continued

<i>Title 23 Former Sections</i>	<i>Title 23 New Sections</i>
157 .....	103(d)
158(a) .....	101(b)
158(b) .....	101 note
158(c) .....	104(b)(4)
158(d) .....	104(b)(5)
158(d) .....	104 note
158(e) .....	120(c)
158(f), (g) .....	118(c)
158(h) .....	115
158(i) .....	109(b)
158(j) .....	127
158(k) .....	307 note
159 .....	107
160 .....	108
161 .....	124
162 .....	123
163 .....	111
164 .....	129(b)–(d)
165 .....	Elim.
166 .....	113
167 .....	101(b), 128(a), (b), 304
168 .....	Elim.
169 (less last proviso) .....	Rep.
169 (last proviso) .....	Elim.
170 .....	305
171 .....	306
172 .....	Rep.
173 .....	120 note
174 .....	307 note
175 .....	Elim.

**Statutory Notes and Related Subsidiaries**

CITATION

Pub. L. 85-767, §1, Aug. 27, 1958, 72 Stat. 885, provided in part that this title may be cited as “Title 23, United States Code, §—”.

REPEALS

Pub. L. 85-767, §2, Aug. 27, 1958, 72 Stat. 919, repealed the sections or parts of sections of the Revised Statutes or Statutes at Large covering provisions codified in this title.

CONSTRUCTION

Pub. L. 85-767, §3, Aug. 27, 1958, 72 Stat. 921, provided that:

“(a) If any provision of title 23, as enacted by section 1 of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the title and the application of the provision to other persons or circumstances shall not be affected thereby.

“(b) The provisions of this Act shall be subject to Reorganization Plan Numbered 5 of 1950 (64 Stat. 1263) [set out in the Appendix to Title 5, Government Organization and Employees].”

SAVINGS PROVISION

Pub. L. 85-767, §4, Aug. 27, 1958, 72 Stat. 921, provided that: “Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Acts or portions under section 2 of this Act.”

RECODIFICATION OF TITLE 23

Pub. L. 104-59, title III, §357(a), Nov. 28, 1995, 109 Stat. 625, provided that: “The Secretary [of Transportation] shall, by March 31, 1997, prepare and submit to Congress a draft legislative proposal of necessary technical and conforming amendments to title 23, United States Code, and related laws.”

Pub. L. 102-240, title I, §1066, Dec. 18, 1991, 105 Stat. 2006, provided that the Secretary of Transportation was to have prepared, by Oct. 1, 1993, a proposed recodification of title 23, United States Code, and related laws for submission to Congress for consideration, prior to repeal by Pub. L. 104-59, title III, §357(b), Nov. 28, 1995, 109 Stat. 625.

**CHAPTER 1—FEDERAL-AID HIGHWAYS**

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Sec.  
102. Program efficiencies.  
103. National Highway System.  
104. Apportionment.  
[105. Repealed.]  
106. Project approval and oversight.  
107. Acquisition of rights-of-way—Interstate System.  
108. Advance acquisition of real property.  
109. Standards.  
[110. Repealed.]  
111. Agreements relating to use of and access to rights-of-way—Interstate System.  
112. Letting of contracts.  
113. Prevailing rate of wage.  
114. Construction.  
115. Advance construction.  
116. Maintenance.  
117. Nationally significant multimodal freight and highway projects.  
118. Availability of funds.  
119. National highway performance program.  
120. Federal share payable.  
121. Payment to States for construction.  
122. Payments to States for bond and other debt instrument financing.  
123. Relocation of utility facilities.  
124. Bridge investment program.  
125. Emergency relief.  
126. Transferability of Federal-aid highway funds.  
127. Vehicle weight limitations—Interstate System.  
128. Public hearings.  
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130. Railway-highway crossings.  
131. Control of outdoor advertising.  
132. Payments on Federal-aid projects undertaken by a Federal agency.  
133. Surface transportation block grant program.  
134. Metropolitan transportation planning.  
135. Statewide and nonmetropolitan transportation planning.  
136. Control of junkyards.  
137. Fringe and corridor parking facilities.  
138. Preservation of parklands.  
139. Efficient environmental reviews for project decisionmaking and One Federal Decision.  
140. Nondiscrimination.  
141. Enforcement of requirements.  
142. Public transportation.  
143. Highway use tax evasion projects.  
144. National bridge and tunnel inventory and inspection standards.  
145. Federal-State relationship.  
146. Carpool and vanpool projects.  
147. Construction of ferry boats and ferry terminal facilities.  
148. Highway safety improvement program.  
149. Congestion mitigation and air quality improvement program.  
150. National goals and performance management measures.  
151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors.  
152. Hazard elimination program.  
153. Use of safety belts and motorcycle helmets.  
154. Open container requirements.  
[155. Repealed.]  
156. Proceeds from the sale or lease of real property.  
157. National Environmental Policy Act of 1969 reporting program.  
158. National minimum drinking age.  
159. Revocation or suspension of drivers’ licenses of individuals convicted of drug offenses.  
[160. Repealed.]  
161. Operation of motor vehicles by intoxicated minors.  
162. National scenic byways program.