

Chapter

Editorial Notes

AMENDMENTS

1995—Pub. L. 104-88, title II, §201(b), Dec. 29, 1995, 109 Stat. 940, added item for chapter 7.

CHAPTER 1—ORGANIZATION

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 102. Department of Transportation.
 103. Federal Railroad Administration.
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 105. National Highway Traffic Safety Administration.
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 [111, 112. Repealed.]
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2021—Pub. L. 117-58, div. B, title I, §21101(c), title V, §25012(b), Nov. 15, 2021, 135 Stat. 656, 867, added items 118 and 119.

2020—Pub. L. 116-260, div. AA, title V, §512(c)(7)(B), Dec. 27, 2020, 134 Stat. 2757, substituted “Great Lakes St. Lawrence Seaway Development Corporation” for “Saint Lawrence Seaway Development Corporation” in item 110.

2015—Pub. L. 114-94, div. A, title VI, §6012(b), title IX, §§9001(b), 9002(b), Dec. 4, 2015, 129 Stat. 1570, 1618, 1619, added items 116 and 117 and struck out item 112 which had read “Research and Innovative Technology Administration” and was subsequently changed to “Office of the Assistant Secretary for Research and Technology of the Department of Transportation” on authority of title I of div. L of Pub. L. 113-76, set out in part as a note under former section 112 of this title.

2012—Pub. L. 112-141, div. E, title II, §52011(c)(1), July 6, 2012, 126 Stat. 895, struck out item 111 “Bureau of Transportation Statistics”.

2004—Pub. L. 108-426, §§2(c)(1), 4(e), Nov. 30, 2004, 118 Stat. 2424, 2426, substituted “Pipeline and Hazardous Materials Safety Administration” for “Coast Guard” in item 108 and “Research and Innovative Technology Administration” for “Research and Special Programs Administration” in item 112.

2001—Pub. L. 107-71, title I, §§101(b), 102(d), Nov. 19, 2001, 115 Stat. 602, 605, added items 114 and 115.

1999—Pub. L. 106-159, title I, §101(c)(1), Dec. 9, 1999, 113 Stat. 1751, added item 113.

1994—Pub. L. 103-272, §4(j)(5)(B), July 5, 1994, 108 Stat. 1366, as amended by Pub. L. 103-429, §7(a)(3)(C), Oct. 31, 1994, 108 Stat. 4388, struck out first item 110 “St. Lawrence Seaway Development Corporation”.

1992—Pub. L. 102-508, title IV, §401(b), Oct. 24, 1992, 106 Stat. 3310, added item 112.

1991—Pub. L. 102-240, title III, §3004(c)(3), title VI, §6006(c), Dec. 18, 1991, 105 Stat. 2088, 2174, substituted “Federal Transit Administration” for “Urban Mass Transportation Administration” in item 107 and added second item 110 and item 111.

Sec.

§ 101. Purpose

(a) The national objectives of general welfare, economic growth and stability, and security of the United States require the development of transportation policies and programs that contribute to providing fast, safe, efficient, and convenient transportation at the lowest cost consistent with those and other national objectives, including the efficient use and conservation of the resources of the United States.

(b) A Department of Transportation is necessary in the public interest and to—

(1) ensure the coordinated and effective administration of the transportation programs of the United States Government;

(2) make easier the development and improvement of coordinated transportation service to be provided by private enterprise to the greatest extent feasible;

(3) encourage cooperation of Federal, State, and local governments, carriers, labor, and other interested persons to achieve transportation objectives;

(4) stimulate technological advances in transportation, through research and development or otherwise;

(5) provide general leadership in identifying and solving transportation problems; and

(6) develop and recommend to the President and Congress transportation policies and programs to achieve transportation objectives considering the needs of the public, users, carriers, industry, labor, and national defense.

(Pub. L. 97-449, §1(b), Jan. 12, 1983, 96 Stat. 2414; Pub. L. 102-240, title VI, §6018, Dec. 18, 1991, 105 Stat. 2183.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101(a)	49:1651(a).	Oct. 15, 1966, Pub. L. 89-670, §2(a), (b)(1), 80 Stat. 931.
101(b)	49:1651(b)(1).	

In subsections (a) and (b), the introductory declaratory words are omitted as surplus.

In subsection (a), the words “national objectives of” are inserted for clarity. The words “United States” are substituted for “Nation” and “Nation’s”, respectively, for consistency. The word “contribute” is substituted for “conductive” because the substituted word is more commonly used. The word “those” is substituted for “utilization”.

In subsection (b)(2), the word “greatest” is substituted for “maximum” for consistency.

In subsection (b)(3) and (6), the word “national” is omitted before “transportation” as unnecessary and for consistency.

In subsection (b)(3), the word “persons” is substituted for “parties” as being more precise.

In subsection (b)(6), the words “transportation objectives” are substituted for “these objectives” for clarity and consistency. The words “full and appropriate” and “for approval” are omitted as surplus.

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1991—Subsec. (b)(4). Pub. L. 102-240 inserted “, through research and development or otherwise” after “advances in transportation”.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 117–58, div. B, §20001, Nov. 15, 2021, 135 Stat. 652, provided that: “This division [see Tables for classification] may be cited as the ‘Surface Transportation Investment Act of 2021’.”

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115–420, §1, Jan. 3, 2019, 132 Stat. 5444, provided that: “This Act [amending sections 310, 22901, 22902, 22904, 22905, 22907, 22908, 24102, 24103, 24319, 24711, 24905, 24910, 24911, and 26106 of this title, section 402 of Title 23, Highways, and section 51314 of Title 46, Shipping, renumbering sections 24401 to 24408 of this title as sections 22901 to 22908 of this title, enacting provisions set out as a note under section 24319 of this title, and amending provisions set out as notes under sections 22905, 22907, and 26106 of this title] may be cited as the ‘Department of Transportation Reports Harmonization Act’.”

Pub. L. 115–282, title V, §514(a), Dec. 4, 2018, 132 Stat. 4276, provided that: “This section [enacting section 312 of this title] may be cited as the ‘National Timing Resilience and Security Act of 2018’.”

Pub. L. 115–271, title VIII, §8101, Oct. 24, 2018, 132 Stat. 4103, provided that: “This subtitle [subtitle I (§§8101–8109) of title VIII of Pub. L. 115–271, enacting provisions set out as notes under sections 322, 329, 20140, and 31306 of this title and section 7301 of Title 5, Government Organization and Employees] may be cited as the ‘Fighting Opioid Abuse in Transportation Act’.”

Pub. L. 115–254, div. K, title I, §1901(a), Oct. 5, 2018, 132 Stat. 3542, provided that: “This title [see Tables for classification] may be cited as the ‘TSA Modernization Act’.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108–426, §1, Nov. 30, 2004, 118 Stat. 2423, provided that: “This Act [enacting section 108 of this title, amending sections 111, 112, 5118, and 5503 of this title, sections 5314 and 5316 of Title 5, Government Organization and Employees, section 844 of Title 18, Crimes and Criminal Procedure, section 2761 of Title 33, Navigation and Navigable Waters, and section 1121–2 of Title 46, Appendix, Shipping, enacting provisions set out as notes under sections 108 and 112 of this title, and amending provisions set out as a note under section 1135 of this title] may be cited as the ‘Norman Y. Mineta Research and Special Programs Improvement Act’.”

SHORT TITLE OF 1999 AMENDMENT

Pub. L. 106–159, §1(a), Dec. 9, 1999, 113 Stat. 1748, provided that: “This Act [see Tables for classification] may be cited as the ‘Motor Carrier Safety Improvement Act of 1999’.”

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104–88, §1(a), Dec. 29, 1995, 109 Stat. 803, provided that: “This Act [see Tables for classification] may be cited as the ‘ICC Termination Act of 1995’.”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103–411, §1, Oct. 25, 1994, 108 Stat. 4236, provided that: “This Act [amending sections 1118, 1131, and 40102 of this title and enacting provisions set out as notes under sections 1131 and 40109 of this title] may be cited as the ‘Independent Safety Board Act Amendments of 1994’.”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102–240, §1, Dec. 18, 1991, 105 Stat. 1914, provided that: “This Act [see Tables for classification] may be cited as the ‘Intermodal Surface Transportation Efficiency Act of 1991’.”

DEEMED REFERENCES TO CHAPTERS 509 AND 511 OF TITLE 51

Pub. L. 111–314, §4(d)(8), Dec. 18, 2010, 124 Stat. 3443, provided that: “In title 49, United States Code, refer-

ences to ‘this title’ are deemed to refer also to chapters 509 and 511 of title 51, United States Code.”

CONGRESSIONAL DECLARATION OF POLICY REGARDING NATIONAL INTERMODAL TRANSPORTATION SYSTEM

Pub. L. 102–240, §2, Dec. 18, 1991, 105 Stat. 1914, which provided that it was the policy of the United States to develop a National Intermodal Transportation System consisting of all forms of transportation in a unified, interconnected manner, a National Highway System, improvements in public transportation achieving goals for improved air quality, energy conservation, international competitiveness, and mobility for elderly persons, persons with disabilities, and economically disadvantaged persons, was repealed and reenacted as section 5501 of this title by Pub. L. 103–272, §§1(d), 7(b), July 5, 1994, 108 Stat. 848, 1379.

DEFINITIONS OF TERMS IN DIV. B OF PUB. L. 117–58

Pub. L. 117–58, div. B, §20002, Nov. 15, 2021, 135 Stat. 652, provided that: “In this division [see Short Title of 2021 Amendment note set out above]:

“(1) DEPARTMENT.—The term ‘Department’ means the Department of Transportation.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.”

DEFINITIONS OF TERMS IN TITLE I OF DIV. K OF PUB. L. 115–254

Pub. L. 115–254, div. K, title I, §1902, Oct. 5, 2018, 132 Stat. 3542, provided that: “In this title [see Short Title of 2018 Amendment note set out above]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the TSA.

“(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate;

“(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(C) the Committee on Homeland Security of the House of Representatives.

“(3) ASAC.—The term ‘ASAC’ means the Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

“(4) DEPARTMENT.—The term ‘Department’ means the Department of Homeland Security.

“(5) EXPLOSIVE[S] DETECTION CANINE TEAM.—The term ‘explosives detection canine team’ means a canine and a canine handler that are trained to detect explosives and other threats as defined by the Secretary.

“(6) SECRETARY.—The term ‘Secretary’ means the Secretary of Homeland Security.

“(7) TSA.—The term ‘TSA’ means the Transportation Security Administration.”

“SECRETARY” DEFINED

Pub. L. 106–159, §2, Dec. 9, 1999, 113 Stat. 1749, provided that: “In this Act [see Tables for classification], the term ‘Secretary’ means the Secretary of Transportation.”

Pub. L. 102–240, §3, Dec. 18, 1991, 105 Stat. 1915, provided that: “As used in this Act [see Short Title of 1991 Amendment note set out above], the term ‘Secretary’ means the Secretary of Transportation.”

Executive Documents

EX. ORD. NO. 13330. HUMAN SERVICE TRANSPORTATION COORDINATION

Ex. Ord. No. 13330, Feb. 24, 2004, 69 F.R. 9185, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, and to enhance access to transportation to improve mobility, employment opportunities, and access to community services for persons who are transportation-disadvantaged, it is hereby ordered as follows:

SECTION 1. This order is issued consistent with the following findings and principles:

(a) A strong America depends on citizens who are productive and who actively participate in the life of their communities.

(b) Transportation plays a critical role in providing access to employment, medical and health care, education, and other community services and amenities. The importance of this role is underscored by the variety of transportation programs that have been created in conjunction with health and human service programs, and by the significant Federal investment in accessible public transportation systems throughout the Nation.

(c) These transportation resources, however, are often difficult for citizens to understand and access, and are more costly than necessary due to inconsistent and unnecessary Federal and State program rules and restrictions.

(d) A broad range of Federal program funding allows for the purchase or provision of transportation services and resources for persons who are transportation-disadvantaged. Yet, in too many communities, these services and resources are fragmented, unused, or altogether unavailable.

(e) Federally assisted community transportation services should be seamless, comprehensive, and accessible to those who rely on them for their lives and livelihoods. For persons with mobility limitations related to advanced age, persons with disabilities, and persons struggling for self-sufficiency, transportation within and between our communities should be as available and affordable as possible.

(f) The development, implementation, and maintenance of responsive, comprehensive, coordinated community transportation systems is essential for persons with disabilities, persons with low incomes, and older adults who rely on such transportation to fully participate in their communities.

SEC. 2. *Definitions.* (a) As used in this order, the term “agency” means an executive department or agency of the Federal Government.

(b) For the purposes of this order, persons who are transportation-disadvantaged are persons who qualify for Federally conducted or Federally assisted transportation-related programs or services due to disability, income, or advanced age.

SEC. 3. *Establishment of the Interagency Transportation Coordinating Council on Access and Mobility.* (a) There is hereby established, within the Department of Transportation for administrative purposes, the “Interagency Transportation Coordinating Council on Access and Mobility” (“Interagency Transportation Coordinating Council” or “Council”). The membership of the Interagency Transportation Coordinating Council shall consist of:

(i) the Secretaries of Transportation, Health and Human Services, Education, Labor, Veterans Affairs, Agriculture, Housing and Urban Development, and the Interior, the Attorney General, and the Commissioner of Social Security; and

(ii) such other Federal officials as the Chairperson of the Council may designate.

(b) The Secretary of Transportation, or the Secretary’s designee, shall serve as the Chairperson of the Council. The Chairperson shall convene and preside at meetings of the Council, determine its agenda, direct its work, and, as appropriate to particular subject matters, establish and direct subgroups of the Council, which shall consist exclusively of the Council’s members.

(c) A member of the Council may designate any person who is part of the member’s agency and who is an officer appointed by the President or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS-15 of the General Schedule to perform functions of the Council or its subgroups on the member’s behalf.

SEC. 4. *Functions of the Interagency Transportation Coordinating Council.* The Interagency Transportation Coordinating Council shall:

(a) promote interagency cooperation and the establishment of appropriate mechanisms to minimize duplication and overlap of Federal programs and services so that transportation-disadvantaged persons have access to more transportation services;

(b) facilitate access to the most appropriate, cost-effective transportation services within existing resources;

(c) encourage enhanced customer access to the variety of transportation and resources available;

(d) formulate and implement administrative, policy, and procedural mechanisms that enhance transportation services at all levels; and

(e) develop and implement a method for monitoring progress on achieving the goals of this order.

SEC. 5. *Report.* In performing its functions, the Interagency Transportation Coordinating Council shall present to me a report not later than 1 calendar year from the date of this order. The report shall:

(a) Identify those Federal, State, Tribal and local laws, regulations, procedures, and actions that have proven to be most useful and appropriate in coordinating transportation services for the targeted populations;

(b) Identify substantive and procedural requirements of transportation-related Federal laws and regulations that are duplicative or restrict the laws’ and regulations’ most efficient operation;

(c) Describe the results achieved, on an agency and program basis, in: (i) simplifying access to transportation services for persons with disabilities, persons with low income, and older adults; (ii) providing the most appropriate, cost-effective transportation services within existing resources; and (iii) reducing duplication to make funds available for more services to more such persons;

(d) Provide recommendations to simplify and coordinate applicable substantive, procedural, and administrative requirements; and

(e) Provide any other recommendations that would, in the judgment of the Council, advance the principles set forth in section 1 of this order.

SEC. 6. *General.* (a) Agencies shall assist the Interagency Transportation Coordinating Council and provide information to the Council consistent with applicable law as may be necessary to carry out its functions. To the extent permitted by law, and as permitted by available agency resources, the Department of Transportation shall provide funding and administrative support for the Council.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

GEORGE W. BUSH.

§ 102. Department of Transportation

(a) The Department of Transportation (referred to in this section as the “Department”) is an executive department of the United States Government at the seat of Government.

(b) The head of the Department is the Secretary of Transportation (referred to in this section as the “Secretary”). The Secretary is appointed by the President, by and with the advice and consent of the Senate.

(c) The Department has a Deputy Secretary of Transportation appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary—