

(A) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(B) describe the research findings the Department expects to discover at the end of the period covered by the strategic plan.

(d) CONSIDERATIONS.—The Secretary shall ensure that each strategic plan developed under this section—

(1) reflects input from a wide range of external stakeholders;

(2) includes and integrates the research and development programs of all of the modal administrations of the Department of Transportation, including aviation, transit, rail, and maritime and joint programs;

(3) takes into account research and development by other Federal, State, local, private sector, and nonprofit institutions;

(4) not later than December 31, 2021, and not less frequently than once every 5 years thereafter, is published on a public website; and

(5) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

(A) contributes to the achievement of the purposes identified under subsection (c)(1); and

(B) avoids unnecessary duplication of those efforts.

(Added Pub. L. 114-94, div. A, title VI, § 6019(b)(1), Dec. 4, 2015, 129 Stat. 1580; amended Pub. L. 117-58, div. B, title V, § 25014, Nov. 15, 2021, 135 Stat. 869.)

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, § 25014(1), substituted “Not later than 180 days after the date of publication of the Department of Transportation Strategic Plan and not less frequently than once every 5 years thereafter, the Secretary” for “The Secretary”.

Subsec. (b). Pub. L. 117-58, § 25014(2), substituted “Each strategic” for “The strategic” in introductory provisions.

Subsec. (c). Pub. L. 117-58, § 25014(3)(A), substituted “Each strategic” for “The strategic” in introductory provisions.

Subsec. (c)(1)(G). Pub. L. 117-58, § 25014(3)(B), added subpar. (G).

Subsec. (d). Pub. L. 117-58, § 25014(4)(A), substituted “each strategic” for “the strategic” in introductory provisions.

Subsec. (d)(4). Pub. L. 117-58, § 25014(4)(B), substituted “2021, and not less frequently than once every 5 years thereafter” for “2016”.

Subsec. (e). Pub. L. 117-58, § 25014(5), struck out subsec. (e). Prior to amendment, text read as follows: “Not later than 2 ½ years after the date of enactment of this chapter, the Secretary may publish on a public website an interim report that—

“(1) provides an assessment of the 5-year research and development strategic plan of the Department of Transportation described in this section; and

“(2) includes a description of the extent to which the research and development is or is not successfully meeting the purposes described under subsection (c)(1).”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amend-

ment note under section 5313 of Title 5, Government Organization and Employees.

§ 6504. Incorporation of Department of Transportation research

(a) REVIEW.—Not later than December 31, 2021, and not less frequently than once every 5 years thereafter, in concurrence with the applicable strategic plan under section 6503, the Secretary of Transportation shall—

(1) conduct a review of research conducted by the Department of Transportation; and

(2) to the maximum extent practicable and appropriate, identify modifications to laws, regulations, guidance, and other policy documents to incorporate any innovations resulting from the research described in paragraph (1) that have the potential to improve the safety or efficiency of the United States transportation system.

(b) REQUIREMENTS.—In conducting a review under subsection (a), the Secretary of Transportation shall—

(1) identify any innovative practices, materials, or technologies that have demonstrable benefits to the transportation system;

(2) determine whether the practices, materials, or technologies described in paragraph (1) require any statutory or regulatory modifications for adoption; and

(3)(A) if modifications are determined to be required under paragraph (2), develop—

(i) a proposal for those modifications; and

(ii) a description of the manner in which any such regulatory modifications would be—

(I) incorporated into the Unified Regulatory Agenda; or

(II) adopted into existing regulations as soon as practicable; or

(B) if modifications are determined not to be required under paragraph (2), develop a description of the means by which the practices, materials, or technologies described in paragraph (1) will otherwise be incorporated into Department of Transportation or modal administration policy or guidance, including as part of the Technology Transfer Program of the Office of the Assistant Secretary for Research and Technology.

(c) REPORT.—On completion of each review under subsection (a), the Secretary of Transportation shall submit to the appropriate committees of Congress a report describing, with respect to the period covered by the report—

(1) each new practice, material, or technology identified under subsection (b)(1); and

(2) any statutory or regulatory modification for the adoption of such a practice, material, or technology that—

(A) is determined to be required under subsection (b)(2); or

(B) was otherwise made during that period.

(Added Pub. L. 117-58, div. B, title V, § 25016(a), Nov. 15, 2021, 135 Stat. 872.)

CHAPTER 67—MULTIMODAL INFRASTRUCTURE INVESTMENTS

Sec. 6701.

National infrastructure project assistance.

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| Sec. 6702. | Local and regional project assistance. |
| 6703. | National culvert removal, replacement, and restoration grant program. |

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-58, div. B, title I, §21203(b), Nov. 15, 2021, 135 Stat. 677, added item 6703.

§ 6701. National infrastructure project assistance

(a) DEFINITIONS.—In this section:

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

(2) ELIGIBLE ENTITY.—The term “eligible entity” means—

- (A) a State or a group of States;
- (B) a metropolitan planning organization;
- (C) a unit of local government;
- (D) a political subdivision of a State;
- (E) a special purpose district or public authority with a transportation function, including a port authority;
- (F) a Tribal government or a consortium of Tribal governments;
- (G) a partnership between Amtrak and 1 or more entities described in subparagraphs (A) through (F); and
- (H) a group of entities described in any of subparagraphs (A) through (G).

(3) PROGRAM.—The term “program” means the program established by subsection (b).

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

- (5) STATE.—The term “State” means—
- (A) any of the several States;
 - (B) the District of Columbia;
 - (C) the Commonwealth of Puerto Rico;
 - (D) the Commonwealth of the Northern Mariana Islands;
 - (E) the United States Virgin Islands;
 - (F) Guam;
 - (G) American Samoa; and
 - (H) any other territory or possession of the United States.

(b) ESTABLISHMENT.—There is established a program under which the Secretary shall provide to eligible entities grants, on a competitive basis pursuant to single-year or multiyear grant agreements, for projects described in subsection (d).

(c) APPLICATIONS.—

(1) IN GENERAL.—To be eligible for a grant under the program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be appropriate.

(2) PLAN FOR DATA COLLECTION.—An application under paragraph (1) shall include a plan for data collection and analysis described in subsection (g).

(d) ELIGIBLE PROJECTS.—The Secretary may provide a grant under the program only for a project—

- (1) that is—
 - (A) a highway or bridge project carried out on—
 - (i) the National Multimodal Freight Network established under section 70103;

- (ii) the National Highway Freight Network established under section 167 of title 23; or

- (iii) the National Highway System (as defined in section 101(a) of title 23);

- (B) a freight intermodal (including public ports) or freight rail project that provides a public benefit;

- (C) a railway-highway grade separation or elimination project;

- (D) an intercity passenger rail project;

- (E) a public transportation project that is—

- (i) eligible for assistance under chapter 53; and

- (ii) part of a project described in any of subparagraphs (A) through (D); or

- (F) a grouping, combination, or program of interrelated, connected, or dependent projects of any of the projects described in subparagraphs (A) through (E); and

(2) the eligible project costs of which are—

- (A) reasonably anticipated to equal or exceed \$500,000,000; or

- (B) for any project funded by the set-aside under subsection (m)(2)—

- (i) more than \$100,000,000; but
- (ii) less than \$500,000,000.

(e) GEOGRAPHICAL DISTRIBUTION.—In providing grants under this section, the Secretary shall ensure among grant recipients—

- (1) geographical diversity; and
- (2) a balance between rural and urban communities.

(f) PROJECT EVALUATION AND SELECTION.—

(1) REQUIREMENTS.—The Secretary may select a project described in subsection (d) to receive a grant under the program only if the Secretary determines that—

- (A) the project is likely to generate national or regional economic, mobility, or safety benefits;
- (B) the project is in need of significant Federal funding;
- (C) the project will be cost-effective;
- (D) with respect to related non-Federal financial commitments, 1 or more stable and dependable sources of funding and financing are available—

- (i) to construct, operate, and maintain the project; and
- (ii) to cover cost increases; and

- (E) the applicant has, or will have, sufficient legal, financial, and technical capacity to carry out the project.

(2) EVALUATION CRITERIA.—In awarding a grant under the program, the Secretary shall evaluate—

- (A) the extent to which a project supports achieving a state of good repair for each existing asset to be improved by the project;

- (B) the level of benefits a project is expected to generate, including—

- (i) the costs avoided by the prevention of closure or reduced use of the asset to be improved by the project;
- (ii) reductions in maintenance costs over the life of the applicable asset;