

SUBTITLE IX—MULTIMODAL FREIGHT TRANSPORTATION

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Editorial Notes

PRIOR PROVISIONS

A prior subtitle IX, consisting of chapters 701 and 703, related to commercial space transportation, prior to being transferred and renumbered as chapters 509 and 511 of Title 51, National and Commercial Space Programs.

CHAPTER 701—MULTIMODAL FREIGHT POLICY

Sec.	
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Editorial Notes

PRIOR PROVISIONS

A prior chapter 701, consisting of sections 70101 to 70121, related to commercial space launch activities, prior to being transferred and renumbered as chapter 509 of Title 51, National and Commercial Space Programs.

§ 70101. National multimodal freight policy

(a) IN GENERAL.—It is the policy of the United States to maintain and improve the condition and performance of the National Multimodal Freight Network established under section 70103 to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

(b) GOALS.—The goals of the national multimodal freight policy are—

(1) to identify infrastructure improvements, policies, and operational innovations that—

(A) strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States;

(B) reduce congestion and eliminate bottlenecks on the National Multimodal Freight Network; and

(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

(2) to improve the safety, security, efficiency, and resiliency of multimodal freight transportation;

(3) to achieve and maintain a state of good repair on the National Multimodal Freight Network;

(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Multimodal Freight Network;

(5) to improve the economic efficiency and productivity of the National Multimodal Freight Network;

(6) to improve the reliability of freight transportation;

(7) to improve the short- and long-distance movement of goods that—

(A) travel across rural areas between population centers;

(B) travel between rural areas and population centers; and

(C) travel from the Nation's ports, airports, and gateways to the National Multimodal Freight Network;

(8) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity;

(9) to reduce the adverse environmental impacts of freight movement on the National Multimodal Freight Network; and

(10) to pursue the goals described in this subsection in a manner that is not burdensome to State and local governments.

(c) IMPLEMENTATION.—The Assistant Secretary for Multimodal Freight, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

(1) carry out sections 70102 and 70103;

(2) assist with the coordination of modal freight planning; and

(3) identify interagency data sharing opportunities to promote freight planning and coordination.

(Added Pub. L. 114–94, div. A, title VIII, § 8001(a), Dec. 4, 2015, 129 Stat. 1605; amended Pub. L. 117–58, div. B, title I, § 21101(d)(1), Nov. 15, 2021, 135 Stat. 656.)

Editorial Notes

PRIOR PROVISIONS

A prior section 70101 was transferred and renumbered as section 50901 of Title 51, National and Commercial Space Programs.

AMENDMENTS

2021—Subsec. (c). Pub. L. 117–58 substituted “Assistant Secretary for Multimodal Freight” for “Under Secretary of Transportation for Policy” in introductory provisions.

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

§ 70102. National freight strategic plan

(a) IN GENERAL.—The Assistant Secretary for Multimodal Freight (referred to in this section as the “Assistant Secretary”) shall—

(1) develop a national freight strategic plan in accordance with this section; and

(2) publish the plan on the public Internet Web site of the Department of Transportation.

(b) CONTENTS.—The national freight strategic plan shall include—

(1) an assessment of the condition and performance of the National Multimodal Freight Network established under section 70103;

(2) forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;

(3) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators;

(4) an identification of bottlenecks on the National Multimodal Freight Network that create significant freight congestion, based on a quantitative methodology developed by the Assistant Secretary, which shall include, at a minimum—

(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance, and a description of opportunities for overcoming the barriers;

(6) a process for addressing multistate projects and encouraging jurisdictions to collaborate;

(7) strategies to improve freight intermodal connectivity;

(8) an identification of corridors providing access to energy exploration, development, installation, or production areas;

(9) an identification of corridors providing access to major areas for manufacturing, agriculture, or natural resources;

(10) an identification of best practices for improving the performance of the National Multimodal Freight Network, including critical commerce corridors and rural and urban access to critical freight corridors;

(11) an identification of best practices to mitigate the impacts of freight movement on communities;

(12) best practices for reducing environmental impacts of freight movement (including reducing local air pollution from freight movement, stormwater runoff, and wildlife habitat loss resulting from freight facilities, freight vehicles, or freight activity);

(13) possible strategies to increase the resilience of the freight system, including the ability to anticipate, prepare for, or adapt to conditions, or withstand, respond to, or recover rapidly from disruptions, including extreme weather and natural disasters;

(14) strategies to promote United States economic growth and international competitiveness;

(15) consideration of any potential unique impacts of the national freight system on rural and other underserved and historically disadvantaged communities;

(16) strategies for decarbonizing freight movement, as appropriate; and

(17) consideration of the impacts of e-commerce on the national multimodal freight system.

(c) **UPDATES.**—Not later than 5 years after the date of completion of the national freight strategic plan under subsection (a), and every 5 years thereafter, the Assistant Secretary shall update the plan and publish the updated plan on

the public Internet Web site of the Department of Transportation.

(d) **CONSULTATION.**—The Assistant Secretary shall develop and update the national freight strategic plan—

(1) after providing notice and an opportunity for public comment; and

(2) in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders.

(Added Pub. L. 114-94, div. A, title VIII, § 8001(a), Dec. 4, 2015, 129 Stat. 1606; amended Pub. L. 117-58, div. B, title I, §§ 21101(d)(2), 21102, Nov. 15, 2021, 135 Stat. 656, 657.)

Editorial Notes

PRIOR PROVISIONS

A prior section 70102 was transferred and renumbered as section 50902 of Title 51, National and Commercial Space Programs.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, § 21101(d)(2)(A), substituted “The Assistant Secretary for Multimodal Freight (referred to in this section as the ‘Assistant Secretary’)” for “Not later than 2 years after the date of enactment of this section, the Under Secretary of Transportation for Policy” in introductory provisions.

Subsec. (b)(4). Pub. L. 117-58, § 21101(d)(2)(B), substituted “Assistant Secretary” for “Under Secretary” in introductory provisions.

Subsec. (b)(12) to (17). Pub. L. 117-58, § 21102, added pars. (12) to (17).

Subsec. (c). Pub. L. 117-58, § 21101(d)(2)(C), substituted “Assistant Secretary” for “Under Secretary”.

Subsec. (d). Pub. L. 117-58, § 21101(d)(2)(D), substituted “Assistant Secretary” for “Under Secretary” in introductory provisions.

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

§ 70103. National Multimodal Freight Network

(a) **IN GENERAL.**—The Assistant Secretary for Multimodal Freight (referred to in this section as the “Assistant Secretary”) shall establish a National Multimodal Freight Network in accordance with this section—

(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on the Network;

(2) to inform freight transportation planning;

(3) to assist in the prioritization of Federal investment; and

(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23.

(b) **DESIGNATION OF NATIONAL MULTIMODAL FREIGHT NETWORK.**—

(1) **IN GENERAL.**—The Assistant Secretary, after soliciting input from stakeholders, in-