

## (e) UPDATES.—

(1) IN GENERAL.—A State shall update a State freight plan described in subsection (a) not less frequently than once every 4 years.

(2) FREIGHT INVESTMENT PLAN.—A State may update a freight investment plan described in subsection (b)(9) more frequently than is required under paragraph (1).

(f) COMMERCIAL MOTOR VEHICLE PARKING FACILITIES ASSESSMENTS.—As part of the development or updating, as applicable, of a State freight plan under this section, each State that receives funding under section 167 of title 23, in consultation with relevant State motor carrier safety personnel, shall conduct an assessment of—

(1) the capability of the State, together with the private sector in the State, to provide adequate parking facilities and rest facilities for commercial motor vehicles engaged in interstate transportation;

(2) the volume of commercial motor vehicle traffic in the State; and

(3) whether there exist any areas within the State with a shortage of adequate commercial motor vehicle parking facilities, including an analysis (economic or otherwise, as the State determines to be appropriate) of the underlying causes of such a shortage.

(g) PRIORITY.—Each State freight plan under this section shall include a requirement that the State, in carrying out activities under the State freight plan—

(1) enhance reliability or redundancy of freight transportation; or

(2) incorporate the ability to rapidly restore access and reliability with respect to freight transportation.

## (h) APPROVAL.—

(1) IN GENERAL.—The Secretary of Transportation shall approve a State freight plan described in subsection (a) if the plan achieves compliance with the requirements of this section.

(2) SAVINGS PROVISION.—Nothing in this subsection establishes new procedural requirements for the approval of a State freight plan described in subsection (a).

(Added Pub. L. 114–94, div. A, title VIII, §8001(a), Dec. 4, 2015, 129 Stat. 1610; amended Pub. L. 117–58, div. B, title I, §21104(a), (c), Nov. 15, 2021, 135 Stat. 658, 659.)

**Editorial Notes**

## AMENDMENTS

2021—Subsec. (b)(10) to (17). Pub. L. 117–58, §21104(a)(1), added pars. (10) to (16) and redesignated former par. (10) as (17).

Subsec. (d). Pub. L. 117–58, §21104(c)(1), substituted “8-year” for “5-year”.

Subsec. (e)(1). Pub. L. 117–58, §21104(c)(2), substituted “4 years” for “5 years”.

Subsecs. (f) to (h). Pub. L. 117–58, §21104(a)(2), added subsecs. (f) to (h).

**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.

**§ 70203. Transportation investment data and planning tools**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation shall—

(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

(C) improved methods for data collection and trend analysis;

(D) encouragement of public-private collaboration to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

(E) other tools to assist in effective transportation planning;

(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).

(Added Pub. L. 114–94, div. A, title VIII, §8001(a), Dec. 4, 2015, 129 Stat. 1611.)

**Editorial Notes**

## REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 114–94, which was approved Dec. 4, 2015.

**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.

**§ 70204. Multi-State freight corridor planning**

(a) CONSENT TO MULTI-STATE FREIGHT MOBILITY COMPACTS.—Congress recognizes the right of States, cities, regional planning organizations, federally recognized Indian Tribes, and local public authorities (including public port au-

thorities) that are regionally linked with an interest in a specific nationally or regionally significant multi-State freight corridor to enter into multi-State compacts to promote the improved mobility of goods, including—

- (1) identifying projects along the corridor that benefit multiple States;
- (2) assembling rights-of-way; and
- (3) performing capital improvements.

(b) FINANCING.—A multi-State freight compact established by entities under subsection (a) may provide that, in order to carry out the compact, the relevant States or other entities may—

- (1) accept contributions from a unit of State or local government;
- (2) use any Federal or State funds made available for freight mobility infrastructure planning or construction, including applying for grants;
- (3) subject to such terms and conditions as the States consider to be advisable—
  - (A) borrow money on a short-term basis; and
  - (B) issue—
    - (i) notes for borrowing under subparagraph (A); and
    - (ii) bonds; and
- (4) obtain financing by other means permitted under applicable Federal or State law.

(c) ADVISORY COMMITTEES.—

(1) IN GENERAL.—A multi-State freight compact under this section may establish a multi-State freight corridor advisory committee, which shall include representatives of State departments of transportation and other public and private sector entities with an interest in freight mobility, such as—

- (A) ports;
- (B) freight railroads;
- (C) shippers;
- (D) carriers;
- (E) freight-related associations;
- (F) third-party logistics providers;
- (G) the freight industry workforce;
- (H) environmental organizations;
- (I) community organizations; and
- (J) units of local government.

(2) ACTIVITIES.—An advisory committee established under paragraph (1) may—

- (A) advise the parties to the applicable multi-State freight compact with respect to freight-related priorities, issues, projects, and funding needs that impact multi-State—
  - (i) freight mobility; and
  - (ii) supply chains;
- (B) serve as a forum for States, Indian Tribes, and other public entities to discuss decisions affecting freight mobility;
- (C) communicate and coordinate multi-State freight priorities with other organizations;
- (D) promote the sharing of information between the private and public sectors with respect to freight issues; and
- (E) provide information for consideration in the development of State freight plans under section 70202.

(d) GRANTS.—

(1) ESTABLISHMENT.—The Secretary of Transportation (referred to in this section as the “Secretary”) shall establish a program under which the Secretary shall provide grants to multi-State freight compacts, or States seeking to form a multi-State freight compact, that seek to improve a route or corridor that is a part of the National Multimodal Freight Network established under section 70103.

(2) NEW COMPACTS.—

(A) IN GENERAL.—To incentivize the establishment of multi-State freight compacts, the Secretary may award a grant for operations costs in an amount of not more than \$2,000,000 to—

- (i) a multi-State freight compact established under subsection (a) during the 2-year period beginning on the date of establishment of the multi-State freight compact; or
- (ii) States seeking to form a multi-State freight compact described in that subsection.

(B) ELIGIBILITY.—

(i) NEW MULTI-STATE FREIGHT COMPACTS.—A multi-State freight compact shall be eligible for a grant under this paragraph only during the initial 2 years of operation of the compact.

(ii) STATES SEEKING TO FORM A COMPACT.—States seeking to form a multi-State freight compact shall be eligible for a grant under this paragraph during—

- (I) the 2-year period beginning on the date on which an application for a grant under this paragraph with respect to the proposed compact is submitted to the Secretary; or
- (II) if the compact is formed before the date on which a grant under this paragraph is awarded in accordance with subclause (I), the initial 2 years of operation of the compact.

(C) REQUIREMENTS.—To be eligible to receive a grant under this paragraph, a multi-State freight compact or the applicable States seeking to form a multi-State freight compact shall—

- (i) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;
- (ii) provide a non-Federal match equal to not less than 25 percent of the operating costs of the multi-State freight compact; and
- (iii) commit to establishing a multi-State freight corridor advisory committee under subsection (c)(1) during the initial 2-year period of operation of the compact.

(3) EXISTING COMPACTS.—

(A) IN GENERAL.—The Secretary may award a grant to multi-State freight compacts that are not eligible to receive a grant under paragraph (2) for operations costs in an amount of not more than \$1,000,000.

(B) REQUIREMENTS.—To be eligible to receive a grant under this paragraph, a multi-State freight compact shall—

- (i) submit to the Secretary an application at such time, in such manner, and

containing such information as the Secretary may require;

(ii) provide a non-Federal match of not less than 50 percent of the operating costs of the compact; and

(iii) demonstrate that the compact has established a multi-State freight corridor advisory committee under subsection (c)(1).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$5,000,000 for each fiscal year to carry out this subsection.

(Added Pub. L. 117-58, div. B, title I, § 21106(a)(2), Nov. 15, 2021, 135 Stat. 659.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 70204 was renumbered section 70206 of this title.

#### § 70205. National multimodal cooperative freight research program

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation (referred to in this section as the “Secretary”) shall establish and support a national cooperative freight transportation research program.

(b) ADMINISTRATION BY NATIONAL ACADEMY OF SCIENCES.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences to support and carry out administrative and management activities under the program established under subsection (a).

(2) ADVISORY COMMITTEE.—To assist the National Academy of Sciences in carrying out this subsection, the National Academy shall establish an advisory committee, the members of which represent a cross-section of multimodal freight stakeholders, including—

(A) the Department of Transportation and other relevant Federal departments and agencies;

(B) State (including the District of Columbia) departments of transportation;

(C) units of local government, including public port authorities;

(D) nonprofit entities;

(E) institutions of higher education;

(F) labor organizations representing employees in freight industries; and

(G) private sector entities representing various transportation modes.

(c) ACTIVITIES.—

(1) NATIONAL RESEARCH AGENDA.—

(A) IN GENERAL.—The advisory committee established under subsection (b)(2), in consultation with interested parties, shall recommend a national research agenda for the program in accordance with subsection (d), which shall include a multiyear strategic plan.

(B) ACTION BY INTERESTED PARTIES.—For purposes of subparagraph (A), an interested party may—

(i) submit to the advisory committee research proposals;

(ii) participate in merit reviews of research proposals and peer reviews of research products; and

(iii) receive research results.

(2) RESEARCH CONTRACTS AND GRANTS.—

(A) IN GENERAL.—The National Academy of Sciences may award research contracts and grants under the program established under subsection (a) through—

(i) open competition; and

(ii) merit review, conducted on a regular basis.

(B) EVALUATION.—

(i) PEER REVIEW.—A contract or grant for research under subparagraph (A) may allow peer review of the research results.

(ii) PROGRAMMATIC EVALUATIONS.—The National Academy of Sciences may conduct periodic programmatic evaluations on a regular basis of a contract or grant for research under subparagraph (A).

(C) DISSEMINATION OF FINDINGS.—The National Academy of Sciences shall disseminate the findings of any research conducted under this paragraph to relevant researchers, practitioners, and decisionmakers through—

(i) conferences and seminars;

(ii) field demonstrations;

(iii) workshops;

(iv) training programs;

(v) presentations;

(vi) testimony to government officials;

(vii) publicly accessible websites;

(viii) publications for the general public; and

(ix) other appropriate means.

(3) REPORT.—Not later than 1 year after the date of establishment of the program under subsection (a), and annually thereafter, the Secretary shall make available on a public website a report that describes the ongoing research and findings under the program.

(d) AREAS FOR RESEARCH.—The national research agenda under subsection (c)(1) shall consider research in the following areas:

(1) Improving the efficiency and resiliency of freight movement, including—

(A) improving the connections between rural areas and domestic and foreign markets;

(B) maximizing infrastructure utility, including improving urban curb-use efficiency;

(C) quantifying the national impact of blocked railroad crossings;

(D) improved techniques for estimating and quantifying public benefits derived from freight transportation projects; and

(E) low-cost methods to reduce congestion at bottlenecks.

(2) Adapting to future trends in freight, including—

(A) considering the impacts of e-commerce;

(B) automation; and

(C) zero-emissions transportation.

(3) Workforce considerations in freight, including—