

Public Law 87-866

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

October 23, 1962
[H. R. 12135]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962".

Federal-Aid
Highway Act of
1962.

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$950,000,000 for the fiscal year ending June 30, 1964, and \$975,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965.

(4) For public lands development roads and trails, \$2,000,000 for the fiscal year ending June 30, 1964, and \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park roads and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,550,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, the additional sum of \$6,000,000 for the fiscal year ending June 30, 1963, and the sum of \$9,000,000 for the fiscal year ending June 30, 1964, and \$9,000,000 for the fiscal year ending June 30, 1965.

THE RAMA ROAD

SEC. 3. That in order to provide for completion of the Rama Road in the Republic of Nicaragua, there is hereby authorized to be appropriated to the Department of State, in addition to the sums heretofore authorized, the sum of \$850,000, to be available until expended, for discharging the United States obligation under the applicable agreement with the Government of Nicaragua: *Provided*, That the survey and construction work shall be under the general supervision

Appropriation.

of the Secretary of Commerce: *Provided further*, That funds provided pursuant to this authorization shall not be available for expenditure except under the conditions set forth in section 213 of title 23, United States Code, with respect to the authorization contained in that section: *And provided further*, That the funds authorized in this section shall be available for contract immediately upon the passage of this Act.

INTER-AMERICAN HIGHWAY

SEC. 4. For the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: *Provided*, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of and willing to meet its commitment for maintenance under the agreements entered into pursuant to the provisions of section 212(a)(5) of title 23, United States Code. Not to exceed \$12,000,000 of the funds authorized herein shall be available for contract immediately upon enactment of this Act and compliance with such commitment, except that such contract authority shall be reduced by such amounts as are appropriated for construction of the Inter-American Highway by the Eighty-seventh Congress, second session.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 5. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

“§ 133. Relocation assistance

“(a) As used in this section the term ‘eligible person’ means any individual, family, business concern (including the operation of a farm) and nonprofit organization to be displaced by construction of a project.

“(b) The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.

“(c) The Secretary shall approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, such relocation payments as may be made by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such project. However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.

“(d) Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern (including the operation of a farm) or nonprofit organization. In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving 50 miles from the point from which such business or organization is being displaced. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any

72 Stat. 911.

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Limitation.

23 USC 101-132.

“Eligible person.”

Limitations.

case) in lieu of their respective reasonable and necessary moving expenses.

“(e) This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section.”

72 Stat. 892.

(b) The analysis of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

“133. Relocation assistance.”

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

SEC. 6. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins “The term ‘project agreement’ means”, the following:

“The term ‘public lands development roads and trails’ means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.”

(b) Chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

23 USC 201-213.

“§ 214. Public lands development roads and trails

“(a) Funds available for public lands development roads and trails shall be used to pay the cost of construction and improvement of such roads and trails.

“(b) Funds available for public lands development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

“(c) The Secretary shall approve the location, type, and design of all projects for public lands development roads and trails before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.”

(c) The analysis of chapter 2 of title 23 is amended by adding at the end thereof the following:

“214. Public lands development roads and trails.”

AVAILABILITY OF FUNDS—OTHER HIGHWAYS

SEC. 7. Section 203 of title 23 of the United States Code is amended by inserting immediately before the phrase “park roads and trails”, at each of the two places it appears in such section, the following: “public lands development roads and trails,”.

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

SEC. 8. (a) The last sentence of subsection (c) of section 103 of title 23, United States Code, is amended to read as follows: “This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.”

(b) The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

ANTE, p. 1146. SEC. 9. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately following section 133 the following new section:

“§ 134. Transportation planning in certain urban areas

“It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.”

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

RURAL DELIVERY AND STAR ROUTE MILEAGE

72 Stat. 889;
73 Stat. 146.

SEC. 10. (a) Subsection (b) (1) of section 104 of title 23 of the United States Code is amended by striking out “preceding fiscal year” and inserting in lieu thereof “preceding calendar year”.

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to apportionments made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

72 Stat. 913.

SEC. 11. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting “(1)” immediately after “(c)”, by striking out “any year” and inserting in lieu thereof “each fiscal year prior to the fiscal year 1964”, and by adding at the end thereof the following:

“(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

“(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104 (b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

“(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.”

DEFINITIONS

SEC. 12. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

- (1) Forest development roads and trails;
- (2) Forest highway;
- (3) Indian reservation roads and bridges;
- (4) Park roads and trails;
- (5) Parkway;
- (6) Public lands highways;
- (7) Federal-aid primary system;
- (8) Federal-aid secondary system;
- (9) Urban area;
- (10) Public lands development roads and trails.

72 Stat. 885.

ALASKA HIGHWAY STUDY

SEC. 13. (a) The Secretary of Commerce, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Commerce, engineering studies, estimates, and planning surveys relative to connecting Alaskan roads with Canadian roads at the International boundary.

(b) On or before May 15, 1964, the Secretary of Commerce shall submit a report to the Congress which shall include—

Report to Congress.

(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and connection of such roads with Canadian roads at the International boundary; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Commerce may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (b) and (c).

(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$800,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) hereof.

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Approved October 23, 1962.