

SEC. 744. Appropriations for the current fiscal year for operation and maintenance of the active forces shall be available for medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel, except elective private treatment); welfare and recreation; hire of passenger motor vehicles; repair of facilities; modification of personal property; design of vessels; industrial mobilization; installation of equipment in public or private plants; military communications facilities on merchant vessels; acquisition of services, special clothing, supplies, and equipment; and expenses for the Reserve Officers' Training Corps and other units at educational institutions.

Reprogramming
of funds.

SEC. 745. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for the reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

Petroleum fuels
to Southeast
Asia.

SEC. 746. None of the funds contained in this Act shall be used to furnish petroleum fuels produced in the continental United States to Southeast Asia for use by non-United States nationals.

TITLE VIII

DEFENSE MANPOWER COMMISSION

There is hereby appropriated the sum of \$400,000 to the Defense Manpower Commission for use in carrying out the provisions of title VII of the Department of Defense Appropriation Authorization Act, 1974.

Ante, p. 609.
Short title.

This Act may be cited as the "Department of Defense Appropriation Act, 1974".

Approved January 2, 1974.

Public Law 93-239

AN ACT

To conserve energy on the Nation's highways.

January 2, 1974
[H. R. 11372]

Emergency High-
way Energy Con-
servation Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Emergency Highway Energy Conservation Act".

SEC. 2. (a) The purpose of this section is to conserve fuel during periods of current and imminent fuel shortages through the establishment of a national maximum highway speed limit.

National maxi-
mum speed limit.

(b) After the sixtieth day after the date of enactment of this Act, the Secretary of Transportation shall not approve any project under section 106 of title 23 of the United States Code in any State which has (1) a maximum speed limit on any public highway within its jurisdiction in excess of 55 miles per hour, and (2) a speed limit for all types of motor vehicles other than 55 miles per hour on any portion of any public highway within its jurisdiction of four or more traffic lanes, the opposing lanes of which are physically separated by means other than striping, which portion of highway had a speed limit for all types of motor vehicles of 55 miles, or more, per hour on November 1, 1973, and (3) a speed limit on any other portion of a public highway within its jurisdiction which is not uniformly applicable to all types of motor vehicles using such portion of highway, if on November 1, 1973, such portion of highway had a speed limit which was uniformly applicable to all types of motor vehicles using it. A lower

72 Stat. 892;
84 Stat. 1717,
1737.

speed limit may be established for any vehicle operating under a special permit because of any weight or dimension of such vehicle, including any load thereon. Clauses (2) and (3) of this section shall not apply to any portion of a highway during such time that the condition of the highway, weather, an accident, or other condition creates a temporary hazard to the safety of traffic on such portion of a highway.

(c) (1) For the purposes of this section the terms "highway" and "State" shall have the same meanings as in section 101 of title 23, United States Code.

(2) As used in this Act, the term "motor vehicle" means any vehicle driven or drawn by mechanical power manufactured primarily for use on public highways, except any vehicle operated exclusively on a rail or rails.

(d) Notwithstanding the provisions of section 120 of title 23, United States Code, sums apportioned to any State under section 104 of title 23, United States Code, shall be available to pay the entire cost of any modification of the signing of the Federal-aid highways for which such sums are apportioned within such State due to a reduction in speed limits to conserve fuel if such change in signing occurs or has occurred after November 1, 1973.

(e) This section shall cease to be in effect (1) on and after the date on which the President declares that there is not a fuel shortage requiring the application of this Act, or (2) on and after June 30, 1975, whichever date first occurs.

(f) The requirements of this section shall be deemed complied with by administrative action lawfully taken by the Governor or other appropriate State official that complies with this section.

SEC. 3. (a) To conserve fuel, decrease traffic congestion during rush hours, improve air quality, and enhance the use of existing highways and parking facilities, the Secretary of Transportation is authorized to approve demonstration projects designed to encourage the use of carpools in urban areas.

(b) Proposals shall be originated by local officials and submitted by the State in accordance with the provisions of section 105(d) of title 23, United States Code. The Secretary of Transportation shall approve for funding those projects which offer reasonable prospects of achieving the objectives set forth in subsection (a) of this section.

(c) A project may include, but not be limited to, such measures as systems for locating potential riders and informing them of convenient carpool opportunities, designating existing highway lanes as preferential carpool highway lanes or shared bus and carpool lanes, providing related traffic control devices, and designating existing publicly owned facilities for use as preferential parking for carpools.

(d) A project authorized by this section shall be subject to, and carried out in accordance with all of the provisions of chapter 1 of title 23, United States Code, applicable to highway projects, except that the Federal share of such project shall be 90 per centum, the Federal share shall not exceed \$1,000,000 for any single project, and only funds apportioned under section 104(b) (3) and (6) of such title shall be available to carry out projects authorized by this section. The Secretary shall not approve any project under this section after December 31, 1974.

Definitions.

72 Stat. 885;
74 Stat. 415.

72 Stat. 898;
84 Stat. 1731.
Ante, pp. 254,
256, 257, 292.

Termination
date.

Carpools, dem-
onstration proj-
ects.

Ante, p. 255.

72 Stat. 885;
Ante, p. 261.
23 USC 101.
Federal share.

77 Stat. 276;
Ante, p. 256.
Termination
date.

(e) The Secretary of Transportation shall conduct a full investigation of the effectiveness of measures employed in the demonstration projects authorized by subsection (a) of this section. In addition, he shall, in cooperation with the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal and State agencies, study other measures, including but not limited to tax and other economic incentives, which might lead to significant increases in carpool ridership in urban areas throughout the country, and shall identify any institutional or legal barriers to such measures and the costs and benefits of such measures. He shall report to the Congress not later than December 31, 1974, his findings, conclusions, and recommendations resulting from such investigation and study. Funds authorized to carry out section 307 of title 23, United States Code, are authorized to be used to carry out the investigation and study authorized by this subsection.

SEC. 4. Section 601(d) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1421) is amended to read as follows:

“EMERGENCY LOCATOR TRANSMITTERS

“(d) (1) Except with respect to aircraft described in paragraph (2) of this subsection, minimum standards pursuant to this section shall include a requirement that emergency locator transmitters shall be installed—

“(A) on any fixed-wing, powered civil aircraft for use in air commerce the manufacture of which is completed, or which is imported into the United States, after one year following the date of enactment of this subsection; and

“(B) on any fixed-wing, powered civil aircraft used in air commerce after three years and six months following such date.

“(2) The provisions of this subsection shall not apply to:

“(A) Turbojet-powered aircraft;

“(B) Aircraft while engaged in scheduled flights by scheduled air carriers certificated by the Board;

“(C) Aircraft while engaged in training operations conducted entirely within a fifty-mile radius of the airport from which such local flight operations began;

“(D) Aircraft while engaged in flight operations incident to design and testing;

“(E) New aircraft while engaged in flight operations incident to their manufacture, preparation, and delivery;

“(F) Aircraft while engaged in flight operations incident to the aerial application of chemicals and other substances for agricultural purposes;

“(G) Aircraft certificated by the Administrator for research and development purposes;

“(H) Aircraft while used for showing compliance with regulations, crew training, exhibition, air racing, or market surveys; and

“(I) Aircraft equipped to carry not more than one person.”.

Approved January 2, 1974.

Study.

Report to Congress.

72 Stat. 913;
Anno, p. 276.

84 Stat. 1619,
1705.