

86 Stat. 1329.  
42 USC 401  
note.

Public Law 92-603 as amended. The Secretary of Health, Education, and Welfare shall issue regulations for the implementation of the foregoing sentence after consultation with the Secretary of Agriculture.

# SHORT TITLE

SEC. 5. This Act may be cited as the "Agriculture and Consumer Protection Act of 1973".

Approved August 10, 1973.

## Public Law 93-87

August 13, 1973  
[S. 502]

### AN ACT

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

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

## TITLE I

### SHORT TITLE

SEC. 101. This title may be cited as the "Federal-Aid Highway Act of 1973".

#### REVISION OF AUTHORIZATION FOR APPROPRIATIONS FOR THE INTERSTATE SYSTEM

SEC. 102. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended by striking out "the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1974, the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1975, and the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1976", and by inserting in lieu thereof the following: "the additional sum of \$2,600,000,000 for the fiscal year ending June 30, 1974, the additional sum of \$3,000,000,000 for the fiscal year ending June 30, 1975, the additional sum of \$3,000,000,000 for the fiscal year ending June 30, 1976, the additional sum of \$3,250,000,000 for the fiscal year ending June 30, 1977, the additional sum of \$3,250,000,000 for the fiscal year ending June 30, 1978, and the additional sum of \$3,250,000,000 for the fiscal year ending June 30, 1979."

#### AUTHORIZATION OF USE OF COST ESTIMATES FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 103. The Secretary of Transportation shall apportion for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5, of House Public Works Committee Print Numbered 92-29, as revised in House Report Numbered 92-1443.

82 Stat. 815;  
84 Stat. 1714.  
23 USC 101  
note.

Highway construction and safety.  
Appropriation authorization.

## HIGHWAY AUTHORIZATIONS

SEC. 104. (a) For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

72 Stat. 885.  
23 USC 101 et  
seq.

(1) For the Federal-aid primary system in rural areas, out of the Highway Trust Fund, \$680,000,000 for the fiscal year ending June 30, 1974, \$700,000,000 for the fiscal year ending June 30, 1975, and \$700,000,000 for the fiscal year ending June 30, 1976. For the Federal-aid secondary system in rural areas, out of Highway Trust Fund, \$390,000,000 for the fiscal year ending June 30, 1974, \$400,000,000 for the fiscal year ending June 30, 1975, and \$400,000,000 for the fiscal year ending June 30, 1976.

(2) For the Federal-aid urban system, out of the Highway Trust Fund, \$780,000,000 for the fiscal year ending June 30, 1974, \$800,000,000 for the fiscal year ending June 30, 1975, and \$800,000,000 for the fiscal year ending June 30, 1976. For the extensions of the Federal-aid primary and secondary systems in urban areas, out of the Highway Trust Fund \$290,000,000 for the fiscal year ending June 30, 1974, \$300,000,000 for the fiscal year ending June 30, 1975, and \$300,000,000 for the fiscal year ending June 30, 1976.

(3) For forest highways, out of the Highway Trust Fund \$33,000,000 for the fiscal year ending June 30, 1974, \$33,000,000 for the fiscal year ending June 30, 1975, and \$33,000,000 for the fiscal year ending June 30, 1976.

(4) For public lands highways, out of the Highway Trust Fund, \$16,000,000 for the fiscal year ending June 30, 1974, \$16,000,000 for the fiscal year ending June 30, 1975, and \$16,000,000 for the fiscal year ending June 30, 1976.

(5) For forest development roads and trails, \$140,000,000 for the fiscal year ending June 30, 1974, \$140,000,000 for the fiscal year ending June 30, 1975, and \$140,000,000 for the fiscal year ending June 30, 1976.

(6) For public lands development roads and trails, \$10,000,000 for the fiscal year ending June 30, 1974, \$10,000,000 for the fiscal year ending June 30, 1975, and \$10,000,000 for the fiscal year ending June 30, 1976.

(7) For park roads and trails, \$30,000,000 for the fiscal year ending June 30, 1974, \$30,000,000 for the fiscal year ending June 30, 1975, and \$30,000,000 for the fiscal year ending June 30, 1976.

(8) For parkways, \$60,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976, except that the entire cost of any parkway project on any Federal-aid system paid under the authorization contained in this paragraph shall be paid from the Highway Trust Fund.

(9) For Indian reservation roads and bridges, \$75,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976.

*Post*, p. 261.

(10) For economic growth center development highways under section 143 of title 23, United States Code, out of the Highway Trust Fund, \$50,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$100,000,000 for the fiscal year ending June 30, 1976.

79 Stat. 1028,  
1030, 1032;  
82 Stat. 817, 818.

(11) For necessary administrative expenses in carrying out section 131, section 136, and section 319(b) of title 23, United States Code, \$1,500,000 for the fiscal year ending June 30, 1974, \$1,500,000 for the fiscal year ending June 30, 1975, and \$1,500,000 for the fiscal year ending June 30, 1976.

84 Stat. 1720.

(12) For carrying out section 215(a) of title 23, United States Code—

(A) for the Virgin Islands, not to exceed \$5,000,000 for the fiscal year ending June 30, 1974, not to exceed \$5,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$5,000,000 for the fiscal year ending June 30, 1976.

(B) for Guam not to exceed \$2,000,000 for the fiscal year ending June 30, 1974, not to exceed \$2,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$2,000,000 for the fiscal year ending June 30, 1976.

(C) for American Samoa not to exceed \$1,000,000 for the fiscal year ending June 30, 1974, not to exceed \$1,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$1,000,000 for the fiscal year ending June 30, 1976.

Sums authorized by this paragraph shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such sums were apportioned under chapter 1 of title 23, United States Code.

72 Stat. 885.  
23 USC 101.

(13) Nothing in the first ten paragraphs or in paragraph (12) of this section shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319(b), or chapter 4 of title 23, United States Code.

80 Stat. 731.  
23 USC 401.

(b) For each of the fiscal years 1974, 1975, and 1976, no State shall receive less than one-half of 1 per centum of the total apportionment for the Interstate System under paragraph (5) of subsection (b) of section 104 of title 23, United States Code. Whenever such amounts made available for the Interstate System in any State exceed the cost of completing that State's portion of the Interstate System, the excess amount shall be transferred to and added to the amounts apportioned to such State under paragraphs (1), (2), (3), and (6) of subsection (b) of section 104 of title 23, United States Code, in the ratio which these respective amounts bear to each other in that State. For the purpose of carrying out this subsection, there are authorized to be appropriated out of the Highway Trust Fund not to exceed \$50,000,000 for the fiscal year ending June 30, 1974, \$50,000,000 for the fiscal year ending June 30, 1975, and \$50,000,000 for the fiscal year ending June 30, 1976. It is the sense of the Congress that this subsection is an interim provision to be reconsidered at the expiration of this authorization.

*Post*, p. 254.

*Post*, p. 256.

## DEFINITIONS

SEC. 105. Subsection (a) of section 101 of title 23 of the United States Code is amended as follows:

72 Stat. 885;  
84 Stat. 1716.

(1) The definition of the term "construction" is amended to read as follows:

"The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the National Oceanic and Atmospheric Administration in the Department of Commerce), acquisition of rights-of-way, relocation assistance, elimination of hazards of railway grade crossings, acquisition of replacement housing sites, acquisition and rehabilitation, relocation, and construction of replacement housing, and improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas."

(2) The definition of the term "urban area" is amended to read as follows:

"The term 'urban area' means an urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or an urban place as designated by the Bureau of the Census having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census."

(3) The definition of the term "Indian reservation roads and bridges" is amended to read as follows:

"The term 'Indian reservation roads and bridges' means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups, or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians."

(4) The definition of "urbanized area" is amended to read as follows:

"The term 'urbanized area' means an area so designated by the Bureau of the Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urbanized area within a State as designated by the Bureau of the Census."



## EXTENSION OF TIME FOR COMPLETION OF SYSTEM

84 Stat. 1714.

SEC. 106. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "twenty years" and inserting in lieu thereof "twenty-three years" and by striking out "June 30, 1976", and inserting in lieu thereof "June 30, 1979".

(b) (1) The introductory phrase and the second and third sentences of section 104(b) (5) of title 23, United States Code, are amended by striking out "1976" each place it appears and inserting in lieu thereof at each such place "1979".

72 Stat. 889;  
84 Stat. 1714.

Cost estimates,  
transmittal to  
Congress.

(2) The last four sentences of such section 104(b) (5) are amended to read as follows: "Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1975. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1977, and June 30, 1978. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1977. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimates in making apportionments for the fiscal year ending June 30, 1979. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives."

## DECLARATION OF POLICY

72 Stat. 885.

SEC. 107. Subsection (b) of section 101 of title 23, United States Code, is amended by adding at the end thereof the following new paragraph:

"It is further declared that since the Interstate System is now in the final phase of completion it shall be the national policy that increased emphasis be placed on the construction and reconstruction of the other Federal-aid systems in accordance with the first paragraph of this subsection, in order to bring all of the Federal-aid systems up to standards and to increase the safety of these systems to the maximum extent."

## MINIMIZATION OF REDTAPE

SEC. 108. Section 101 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection: 72 Stat. 885;  
84 Stat. 1718.

“(e) It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the substantial minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government.”

## FEDERAL-AID URBAN SYSTEM

SEC. 109. (a) Subsection (d) of section 103 of title 23, United States Code, is amended by striking the first, second, third, fourth, and fifth sentences and inserting in lieu thereof the following: “The Federal-aid urban system shall be established in each urbanized area, and in such other urban areas as the State highway department may designate. The system shall be so located as to serve the major centers of activity, and shall include high traffic volume arterial and collector routes, including access roads to airports and other transportation terminals. No route on the Federal-aid urban system shall also be a route on any other Federal-aid system. Each route of the system to the extent feasible shall connect with another route on a Federal-aid system. Routes on the Federal-aid urban system shall be selected by the appropriate local officials so as to serve the goals and objectives of the community, with the concurrence of the State highway departments, and, in urbanized areas, also in accordance with the planning process under section 134 of this title. Designation of the Federal-aid urban system shall be subject to the approval of the Secretary as provided in subsection (f) of this section.” 84 Stat. 1716;  
Post, p. 274.

(b) Subsection (d) of section 105 of title 23, United States Code, is amended to read as follows: 76 Stat. 1148;  
84 Stat. 1737.

“(d) In approving programs for projects on the Federal-aid urban system, the Secretary shall require that such projects be selected by the appropriate local officials with the concurrence of the State highway department of each State and, in urbanized areas, also in accordance with the planning process required pursuant to section 134 of this title.” 84 Stat. 1717.

## REMOVAL OF DESIGNATED SEGMENTS OF THE INTERSTATE SYSTEM

SEC. 110. (a) Section 103(g) of title 23, United States Code, is amended to read as follows: 84 Stat. 1729.

“(g) The Secretary, on July 1, 1974, shall remove from designation as a part of the Interstate System each segment of such system for which a State has not notified the Secretary that such State intends to construct such segment, and which the Secretary finds is not essential to completion of a unified and connected Interstate System. Any segment of the Interstate System, with respect to which a State has not submitted by July 1, 1975, a schedule for the expenditure of funds for completion of construction of such segment or alternative segment within the period of availability of funds authorized to be appropriated for completion of the Interstate System, and with respect to which the State has not provided the Secretary with assurances satisfactory to him that such schedule will be met, shall be removed from designation as a part of the Interstate System. No segment of the Interstate System removed under the authority of the preceding sentence shall

thereafter be designated as a part of the Interstate System except as the Secretary finds necessary in the interest of national defense or for other reasons of national interest. This subsection shall not be applicable to any segment of the Interstate System referred to in section 23 (a) of the Federal-Aid Highway Act of 1968."

82 Stat. 827.  
D.C. Code 7-135  
note.

72 Stat. 887;  
Ante, p. 255.

(b) Section 103 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(h) Notwithstanding subsections (e) (2) and (g) of this section, in any case where a segment of the Interstate System was a designated part of such System on June 1, 1973, and is entirely within the boundaries of an incorporated city and such city enters into an agreement with the Secretary to pay all non-Federal costs of construction of such segment, such segment shall be constructed."

Effective date.

(c) The amendments made by subsections (a) and (b) of this section shall take effect June 30, 1973.

#### APPORTIONMENT

72 Stat. 889.

SEC. 111. (a) Section 104 of title 23, United States Code, is amended as follows:

(1) Paragraphs (1) and (2) of subsection (b) are amended by striking the words "star routes" each time they appear and inserting in lieu thereof "intercity mail routes where service is performed by motor vehicles".

(2) Paragraph (1) of subsection (b) is amended by striking out "one-third in the ratio which the population of each State bears to the total population of all the States" and inserting in lieu thereof the following: "one-third in the ratio which the population of rural areas of each State bears to the total population of rural areas of all the States". The last sentence of such paragraph is amended by inserting "(other than the District of Columbia)" immediately after "No State".

(3) Paragraph (2) of subsection (b) is amended by striking out "one-third in the ratio which the rural population of each State bears to the total rural population of all the States" and inserting in lieu thereof the following: "one-third in the ratio which the population of rural areas of each State bears to the total population of rural areas of all of the States". The last sentence of such paragraph is amended by inserting "(other than the District of Columbia)" immediately after "No State".

84 Stat. 1717.

(4) Paragraph (6) of subsection (b) is amended by striking the word "urbanized" wherever it appears and inserting in lieu thereof "urban", and by adding at the end thereof the following: "No State shall receive less than one-half of 1 per centum of each year's apportionment."

72 Stat. 891.

(5) Subsection (c) is amended by striking out "20 per centum" in each of the two places it appears and inserting in lieu thereof in each such place the following: "40 per centum" and by striking out "paragraph (1), (2), or (3)" and inserting in lieu thereof "paragraph (1) or (2)".

(6) Subsection (d) is amended to read as follows:

Transfer of  
apportionment.

"(d) Not more than 40 per centum of the amount apportioned in any fiscal year to each State in accordance with paragraph (3) or (6) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under the other paragraph if such transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. Funds apportioned in accordance with paragraph (6) of subsection (b) of this section shall not be transferred from their allocation to any urbanized area of 200,000 population or more under section 150 of this title, without the approval of the

local officials of such urbanized area. The total of such transfers shall not increase the original apportionment under either of such paragraphs by more than 40 per centum."

(7) The last sentence of subsection (c) is hereby repealed.

(b) Notwithstanding the amendments made by subsection (a) of this section, no State (other than the District of Columbia) shall receive an apportionment for the primary system which is less than the apportionment which such State received for such system for the fiscal year ending June 30, 1973. In order to carry out this subsection, there is authorized to be appropriated out of the Highway Trust Fund for the Federal-aid primary system, an additional \$17,000,000 for the fiscal year ending June 30, 1974, and \$15,000,000 per fiscal year for the fiscal years ending June 30, 1975, and June 30, 1976.

Repeal.  
72 Stat. 891.  
23 USC 104.

Additional  
appropriations.

#### APPORTIONMENT OF PLANNING FUNDS

SEC. 112. Subsection (f) of section 104 of title 23, United States Code, is amended to read as follows:

"(f) (1) On or before January 1 next preceding the commencement of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) of this section, shall set aside not to exceed one-half per centum of the remaining funds authorized to be appropriated for expenditure upon the Federal-aid systems, for the purpose of carrying out the requirements of section 134 of this title.

"(2) These funds shall be apportioned to the States in the ratio which the population in urbanized areas or parts thereof, in each State bears to the total population in such urbanized areas in all the States as shown by the latest available census, except that no State shall receive less than one-half per centum of the amount apportioned.

"(3) The funds apportioned to any State under paragraph (2) of this subsection shall be made available by the State to the metropolitan planning organizations designated by the State as being responsible for carrying out the provisions of section 134 of this title. These funds shall be matched 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.

"(4) The distribution within any State of the planning funds made available to agencies under paragraph (3) of this subsection shall be in accordance with a formula developed by each State and approved by the Secretary which shall consider but not necessarily be limited to, population, status of planning, and metropolitan area transportation needs."

84 Stat. 1717.

76 Stat. 1148;  
84 Stat. 1737.  
23 USC 134.

72 Stat. 898.  
23 USC 120.

#### ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 113. (a) The last sentence of subsection (a) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years".

(b) The first sentence of paragraph (3) of subsection (c) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years".

73 Stat. 62.

82 Stat. 818.

#### NOISE LEVEL STANDARDS

SEC. 114. Subsection (i) of section 109 of title 23, United States Code, is amended by adding at the end thereof the following: "The Secretary, after consultation with the Administrator of the Environmental Protection Agency and appropriate Federal, State, and local officials, may promulgate standards for the control of highway noise levels for highways on any Federal-aid system for which project approval has been secured prior to July 1, 1972. The Secretary may

84 Stat. 1735.



approve any project on a Federal-aid system to which noise-level standards are made applicable under the preceding sentence for the purpose of carrying out such standards. Such project may include, but is not limited to, the acquisition of additional rights-of-way, the construction of physical barriers, and landscaping. Sums apportioned for the Federal-aid system on which such project will be located shall be available to finance the Federal share of such project. Such project shall be deemed a highway project for all purposes of this title."

#### SIGNS ON PROJECT SITE

74 Stat. 525.

SEC. 115. The last sentence of subsection (a) of section 114 of title 23, United States Code, is amended to read as follows: "After July 1, 1973, the State highway department shall not erect on any project where actual construction is in progress and visible to highway users any informational signs other than official traffic control devices conforming with standards developed by the Secretary of Transportation."

#### CERTIFICATION ACCEPTANCE

72 Stat. 897.

SEC. 116. (a) Section 117 of title 23 of the United States Code is amended to read as follows:

#### "§ 117. Certification acceptance

"(a) The Secretary may discharge any of his responsibilities under this title relative to projects on Federal-aid systems, except the Interstate System, upon the request of any State, by accepting a certification by the State highway department, or that department, commission, board, or official of any State charged by its laws with the responsibility for highway construction, of its performance of such responsibilities, if he finds such projects will be carried out in accordance with State laws, regulations, directives, and standards establishing requirements at least equivalent to those contained in, or issued pursuant to, this title.

"(b) The Secretary shall make a final inspection of each such project upon its completion and shall require an adequate report of the estimated, and actual, cost of construction as well as such other information as he determines necessary.

"(c) The procedure authorized by this section shall be an alternative to that otherwise prescribed in this title. The Secretary shall promulgate such guidelines and regulations as may be necessary to carry out this section.

"(d) Acceptance by the Secretary of a State's certification under this section may be rescinded by the Secretary at any time if, in his opinion, it is necessary to do.

"(e) Nothing in this section shall affect or discharge any responsibility or obligation of the Secretary under any Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.), section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d), et seq.), title VIII of the Act of April 11, 1968 (Public Law 90-284, 42 U.S.C. 3601 et seq.), and the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 (42 U.S.C. 4601, et seq.), other than this title."

(b) The analysis of chapter 1, of title 23, United States Code, is amended by striking out

"117. Secondary road responsibilities."

and inserting in lieu thereof the following:

"117. Certification acceptance."

83 Stat. 852.

82 Stat. 824.

78 Stat. 252.

42 USC 2000d.

82 Stat. 81.

84 Stat. 1894.



## MATERIALS AT OFF-SITE LOCATIONS

SEC. 117. Section 121(a) of title 23 of the United States Code is amended by inserting after the period at the end thereof the following: "Such payments may also be made in the case of any such materials not in the vicinity of such construction if the Secretary determines that because of required fabrication at an off-site location the materials cannot be stockpiled in such vicinity."

72 Stat. 899.

## TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES

SEC. 118. (a) After the second sentence of section 129(b) of title 23, United States Code, insert the following: "When any such toll road which the Secretary has approved as a part of the Interstate System is made a toll-free facility, Federal-aid highway funds apportioned under section 104(b) (5) of this title may be expended for the construction, reconstruction, or improvement of that road to meet the standards adopted for the improvement of projects located on the Interstate System."

72 Stat. 902;  
82 Stat. 829.

Ante, p. 254.

(b) The first sentence of subsection (e) of section 129, title 23, United States Code, is amended by striking out "on the date of enactment of this subsection". The third sentence of subsection (e) of section 129 of title 23, United States Code, is amended by striking out "1968" and inserting in lieu thereof "1973".

84 Stat. 1732.

## URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 119. Subsection (c) of section 135 of title 23, United States Code, is hereby repealed and existing subsection (d) is relettered as subsection (c), including any references thereto.

Repeal.

82 Stat. 820.

## TRAINING PROGRAMS

SEC. 120. Subsection (b) of section 140 of title 23, United States Code, is amended by striking out in the second sentence "and 1973," and inserting in lieu thereof ", 1973, 1974, 1975, and 1976," and by striking out "\$5,000,000 per fiscal year" and inserting in lieu thereof "\$5,000,000 per fiscal year for the fiscal years 1972 and 1973, and \$10,000,000 per fiscal year for the fiscal years 1974, 1975, and 1976,".

84 Stat. 1719.

## PUBLIC TRANSPORTATION

SEC. 121. (a) Section 142 of title 23, United States Code, is amended to read as follows:

84 Stat. 1719.

**"§ 142. Public Transportation**

"(a) (1) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers (hereafter in this section referred to as 'buses'), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers, and sums apportioned under section 104(b) of this title shall be available to finance the cost of projects under this paragraph.

Ante, p. 256.

"(2) In addition to the projects under paragraph (1), the Secretary may, beginning with the fiscal year ending June 30, 1975, approve as a project on the Federal-aid urban system, for payment from sums

84 Stat. 1717;  
*Ante*, p. 256.  
 23 USC 104.

apportioned under section 104(b)(6) of this title, the purchase of buses, and, beginning with the fiscal year ending June 30, 1976, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the construction, reconstruction, and improvement of fixed rail facilities, including the purchase of rolling stock for fixed rail, except that not more than \$200,000,000 of all sums apportioned for the fiscal year ending June 30, 1975, under section 104(b)(6) shall be available for the payment of the Federal share of projects for the purchase of buses.

*Ante*, p. 254.

“(b) Sums apportioned in accordance with paragraph (5) of subsection (b) of section 104 of this title shall be available to finance the Federal share of projects for exclusive or preferential bus, truck, and emergency vehicle routes or lanes. Routes constructed under this subsection shall not be subject to the third sentence of section 109(b) of this title.

77 Stat. 277.  
 23 USC 109.

“(c) Whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a highway project the Federal share of which is to be paid from funds apportioned under section 104(b)(6) of this title for the fiscal years ending June 30, 1974, and June 30, 1975, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a contractual obligation of the United States for payment out of the general funds of its proportional share of the cost of such project in an amount equal to the Federal share which would have been paid if such project were a highway project under section 120(a) of this title. Funds previously apportioned to such State under section 104(b)(6) of this title shall be reduced by an amount equal to such Federal share.

76 Stat. 1148;  
 84 Stat. 1737,  
 1738.  
 23 USC 134.

82 Stat. 835;  
 84 Stat. 1718.  
 23 USC 120.

“(d) The establishment of routes and schedules of such public mass transportation systems in urbanized areas shall be based upon a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

“(e) (1) For all purposes of this title, a project authorized by subsection (a) (1) of this section shall be deemed to be a highway project.

*Ante*, p. 259.  
 Highway Trust  
 Fund.  
 70 Stat. 397.  
 23 USC 120  
 note.

“(2) Notwithstanding section 209(f)(1) of the Highway Revenue Act of 1956, the Highway Trust Fund shall be available for making expenditures to meet obligations resulting from projects authorized by subsection (a)(2) of this section and such projects shall be subject to, and governed in accordance with, all provisions of this title applicable to projects on the Federal-aid urban system, except to the extent determined inconsistent by the Secretary.

“(3) The Federal share payable on account of projects authorized by subsection (a) of this section shall be that provided in section 120 of this section.

“(f) No project authorized by this section shall be approved unless the Secretary of Transportation has received assurances satisfactory to him from the State that public mass transportation systems will fully utilize the proposed project.

“(g) In any case where sufficient land exists within the publicly acquired rights-of-way of any Federal-aid highway to accommodate needed rail or nonhighway public mass transit facilities and where this can be accomplished without impairing automotive safety or

future highway improvements, the Administrator may authorize a State to make such lands and rights-of-way available without charge to a publicly owned mass transit authority for such purposes wherever he may deem that the public interest will be served thereby.

“(h) The provision of assistance under subsection (a) (2) or subsection (c) of this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any non-supervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

*Ante*, p. 259.

80 Stat. 403.  
5 USC 1501.

“(i) Funds available for expenditure to carry out the purposes of subsection (a) (2) and subsection (c) of this section shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended.

78 Stat. 302.  
49 USC 1601

“(j) The provisions of section 3(e) (4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out subsection (a) (2) and subsection (c) of this section.

note.  
49 USC 1602.

“(k) The Secretary shall not approve any project under subsection (a) (2) of this section in any fiscal year when there has been enacted an Urban Transportation Trust Fund or similar assured funding for both highway and public transportation.”

(b) The analysis of chapter 1 of title 23, United States Code, is amended by striking out

“142. Urban highway public transportation.”

and inserting in lieu thereof the following:

“142. Public transportation.”

#### ECONOMIC GROWTH CENTER DEVELOPMENT HIGHWAYS

SEC. 122. (a) Section 143 of title 23, United States Code, is amended by striking out “demonstration projects” each place it appears and inserting in lieu thereof “projects”, and by striking out “demonstration project” each place it appears and inserting in lieu thereof in each such place “project”, by striking out “the Federal-aid primary system” in each place it appears and inserting in lieu thereof in each such place “a Federal-aid system (other than the Interstate System)”, and in subsection (d) by striking out “Federal-aid primary highways” and inserting in lieu thereof “highways on the Federal-aid system on which such development highway is located”.

84 Stat. 1729.

(b) Section 143(e) of title 23, United States Code, is amended to read as follows:

“(e) Except as otherwise provided in subsection (c) of this section, the Federal share of the cost of any project for construction, reconstruction, or improvement of a development highway under this section shall be the same as that provided under this title for any other project on the Federal-aid system on which such development highway is located.”

(c) Section 143(a) of title 23, United States Code, is amended by striking out “to demonstrate the role that highways can play”.

#### FEDERAL-STATE RELATIONSHIP

SEC. 123. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

72 Stat. 885;  
84 Stat. 1741.  
23 USC 101.

#### “§ 145. Federal-State relationship

“The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall in no way infringe on the sovereign rights of the States to determine which

projects shall be federally financed. The provisions of this chapter provide for a federally assisted State program.”

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

“145. Federal-State relationship.”

#### BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS

SEC. 124. (a) Chapter 2 of title 23, United States Code, is amended by adding at the end thereof the following new section:

#### “§ 217. Bicycle transportation and pedestrian walkways

“(a) To encourage the multiple use of highway rights-of-way, including the development, improvement, and use of bicycle transportation and the development and improvement of pedestrian walkways on or in conjunction with highway rights-of-way, the States may, on Federal-aid highway projects, include to the extent practicable, suitable, and feasible, the construction of separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicycles and persons using bicycles, and pedestrian walkways in conjunction or connection with Federal-aid highways. Sums apportioned in accordance with paragraphs (1), (2), (3), and (6) of section 104(b) of this title shall be available for bicycle projects and pedestrian walkways authorized under this section and such projects shall be located and designed pursuant to an overall plan which will provide due consideration for safety and contiguous routes.

“(b) For all purposes of this title, a bicycle or pedestrian walkway project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such bicycle project or pedestrian walkway shall be that provided in section 120 of this title.

“(c) Funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle and pedestrian routes in conjunction with such trails, roads, highways, and parkways.

“(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes and, when snow conditions and State or local regulations permit, snowmobiles.

“(e) Not more than \$40,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsections (a) and (c) of this section, and no State shall obligate more than \$2,000,000 for such projects in any fiscal year.”

(b) The analysis of chapter 2, title 23, United States Code, is amended by inserting at the end thereof the following:

“217. Bicycle transportation and pedestrian walkways.”

#### SPECIAL URBAN HIGH DENSITY TRAFFIC PROGRAM

SEC. 125. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

#### “§ 146. Special urban high density traffic program

“(a) There is hereby authorized to be appropriated out of the Highway Trust Fund \$50,000,000 for the fiscal year ending June 30, 1974, \$50,000,000 for the fiscal year ending June 30, 1975, and

72 Stat. 906;  
84 Stat. 1721.  
23 USC 201.

Ante, p. 256;  
77 Stat. 276.

72 Stat. 898.  
23 USC 120.

Supra.

Ante, p. 261.

Appropriation.



\$50,000,000 for the fiscal year ending June 30, 1976, for the construction of highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Secretary shall develop guidelines and standards for the designation of routes and the allocation of funds for this purpose which include the following criteria:

Route designation and fund allocation, guidelines and standards.

"(1) Routes designated by the Secretary shall not be longer than ten miles.

"(2) Routes designated shall serve areas of concentrated population and heavy traffic congestion.

"(3) Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.

"(4) Any routes shall connect with existing routes on the Interstate System.

"(5) Routes designated under this section shall have been approved through the planning process required under section 134 of this title and determined to be essential by responsible local officials.

76 Stat. 1148;  
84 Stat. 1737;  
23 USC 134.

"(6) A route shall be designated under this section only where the Secretary determines that no feasible or practicable alternative mode of transportation which could meet the needs of the area to be served is now available or could become available in the foreseeable future.

"(7) The designation of routes under this section shall comply with section 138 of this title, and no route shall be designated which substantially damages or infringes upon any residential area.

82 Stat. 823.  
23 USC 138.

"(8) Routes shall be designated by the Secretary on the recommendation of the State and responsible local officials.

"(9) No more than one route in any one State shall be designated by the Secretary.

"(10) Any route designated by the Secretary under this section must be on a Federal-aid system.

"(b) The Federal share payable on account of any project authorized pursuant to this section shall not exceed 90 per centum of the cost of construction of such project."

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

"146. Special urban high density traffic program."

#### PRIORITY PRIMARY ROUTES

SEC. 126. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

*Ante*, p. 262.

#### "§ 147. Priority primary routes

"(a) High traffic sections of highways on the Federal-aid primary system which connect to the Interstate System shall be selected by each State highway department, in consultation with appropriate local officials, subject to approval by the Secretary, for priority of improvement to supplement the service provided by the Interstate System by furnishing needed adequate traffic collector and distributor facilities. For the purpose of this section such highways shall hereafter in this section be referred to as 'priority primary routes'.

"(b) The Federal share of any project on a priority primary route shall be that provided in section 120(a) of this title. All provisions of this title applicable to the Federal-aid primary system shall be applicable to priority primary routes selected under this section except that one-half of such funds shall be apportioned among the States in accordance with section 104(b) (1) of this title, and one-half shall be

Federal share.

82 Stat. 835;  
84 Stat. 1718.  
23 USC 120.

*Ante*, p. 256.



77 Stat. 276.  
23 USC 104.

Report to  
Congress.

Appropriation.

apportioned among the States in accordance with section 104(b)(3) of this title. Funds authorized to carry out this section shall be deemed to be apportioned on January 1 next preceding the commencement of the fiscal year for which authorized.

“(c) The initial selection of the priority primary routes and the estimated cost of completing such routes shall be reported to Congress on or before July 1, 1974.

“(d) There is authorized to be appropriated out of the Highway Trust Fund to carry out this section not to exceed \$100,000,000 for the fiscal year ending June 30, 1974, \$200,000,000 for the fiscal year ending June 30, 1975, and \$300,000,000 for the fiscal year ending June 30, 1976.”

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

“147. Priority primary routes.”

#### ALASKA HIGHWAY

Ante, p. 262.

SEC. 127. (a) (1) Chapter 2 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

#### “§ 218. Alaska Highway

“(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border, the Secretary is authorized out of the funds appropriated for the purpose of this section to provide for necessary reconstruction of such highway. Such appropriations shall remain available until expended. No expenditures shall be made for the construction of such highways until an agreement has been reached by the Government of Canada and the Government of the United States which shall provide, in part, that the Canadian Government—

“(1) will provide, without participation of funds authorized under this title all necessary right-of-way for the reconstruction of such highways, which right-of-way shall forever be held inviolate as a part of such highways for public use;

“(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

“(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

“(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with agreements between the United States and Canada; and

“(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

“(b) The survey and construction work undertaken pursuant to this section shall be under the general supervision of the Secretary.”

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

“218. Alaska Highway.”

Appropriation.

(b) For the purpose of completing necessary reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border there is authorized to be appropriated the sum of \$58,670,000 to be expended in accordance with the provisions of section 218 of title 23 of the United States Code.

Supra.

Canada and  
U.S. agreement  
requirement.

## BRIDGES ON FEDERAL DAMS

SEC. 128. (a) Section 320(d) of title 23, United States Code, is amended by striking out "\$16,761,000" and inserting in lieu thereof "\$25,261,000".

73 Stat. 613;  
84 Stat. 1724.  
23 USC 320.

Limitation.

(b) All sums appropriated under authority of the increased authorization of \$8,500,000 established by the amendment made by subsection (a) of this section shall be available for expenditure only in connection with the construction of a bridge across lock and dam numbered 13 on the Arkansas River near Fort Smith, Arkansas, in the amount of \$2,100,000 and in connection with reconstruction of a bridge across the Chickamauga Dam on the Tennessee River near Chattanooga, Tennessee, in the amount of \$6,400,000. No such sums shall be appropriated until all applicable requirements of section 320 of title 23 of the United States Code have been complied with by the appropriate Federal agency, the Secretary of Transportation, and the State of Arkansas for the Fort Smith project, and the State of Tennessee for the Chattanooga project.

## GREAT RIVER ROAD

SEC. 129. (a) Section 14 of the Federal-Aid Highway Act of 1954, as amended (68 Stat. 70; Public Law 83-350), is amended by striking out "\$500,000" and inserting in lieu thereof "\$600,000".

78 Stat. 1092.

Ante, p. 263.

(b) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

**"§ 148. Development of a national scenic and recreational highway**

"(a) As soon as possible after the date of enactment of this section, the Secretary shall establish criteria for the location and construction or reconstruction of the Great River Road by the ten States bordering the Mississippi River. Such criteria shall include requirements that—

Great River  
Road.

"(1) priority be given in the location of the Great River Road near or easily accessible to the larger population centers of the State and further priority be given to the construction and improvement of the Great River Road in the proximity of the confluence of the Mississippi River and the Wisconsin River;

"(2) the Great River Road be connected with other Federal-aid highways and preferably with the Interstate System;

"(3) the Great River Road be marked with uniform identifying signs;

"(4) effective control, as defined in section 131 of this title, of signs, displays, and devices will be provided along the Great River Road;

79 Stat. 1028.  
23 USC 131.

"(5) the provisions of section 129(a) of this title shall not apply to any bridge or tunnel on the Great River Road and no fees shall be charged for the use of any facility constructed with assistance under this section.

72 Stat. 902.  
23 USC 129.

"(b) For the purpose of this section, the term 'construction' includes the acquisition of areas of historical, archeological, or scientific interest, necessary easements for scenic purposes, and the construction or reconstruction of roadside rest areas (including appropriate recreational facilities), scenic viewing areas, and other appropriate facilities as determined by the Secretary.

"Construction."

"(c) Highways constructed or reconstructed pursuant to this section (except subsection (f)) shall be part of the Federal-aid system.

Post, p. 266.  
Apportionment.

"(d) Funds appropriated for each fiscal year pursuant to subsection (g) shall be apportioned among the ten States bordering the Mississippi River on the basis of their relative needs as determined by the Secretary for payments to carry out this section.

## Federal share.

72 Stat. 898.  
23 USC 120.

"(e) The Federal share of the cost of any project for any construction or reconstruction pursuant to the preceding subsections of this section shall be that provided in section 120 of this title for the Federal-aid system on which such project is located, and if such project is not on such a system, such share shall be 70 per centum of such cost.

"(f) The Secretary is authorized to consult with the heads of other Federal departments and agencies having jurisdiction over Federal lands open to the public in order to enter into appropriate arrangements for necessary construction or reconstruction of highways on such lands to carry out this section. Highways constructed or reconstructed by a State pursuant to this section which are not on a Federal-aid system, and highways constructed or reconstructed under this subsection, shall be subject to the criteria applicable to highways constructed or reconstructed pursuant to subsection (c) of this section. Funds authorized pursuant to subsection (g) shall be used to pay the entire cost of construction or reconstruction pursuant to the first sentence of this subsection.

## Appropriation.

"(g) There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund, for construction or reconstruction of roads on a Federal-aid highway system, not to exceed \$10,000,000 for the fiscal year ending June 30, 1974, \$25,000,000 for the fiscal year ending June 30, 1975, and \$25,000,000 for the fiscal year ending June 30, 1976, for allocations to the States pursuant to this section, and there is authorized to be appropriated to carry out this section out of any money in the Treasury not otherwise appropriated, not to exceed \$10,000,000 for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, for construction and reconstruction of roads not on a Federal-aid highway system."

(c) The table of contents of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"148. Development of a national scenic and recreational highway."

## ALASKAN ASSISTANCE

84 Stat. 1735.

SEC. 130. Subsection (b) of section 7 of the Federal-Aid Highway Act of 1966 is amended by striking out at the end of the last sentence "June 30, 1972 and June 30, 1973." and substituting "June 30, 1972, June 30, 1973, June 30, 1974, June 30, 1975, and June 30, 1976."

## ROUTE 101 IN NEW HAMPSHIRE

SEC. 131. (a) The amount of all Federal-aid highway funds paid on account of those sections of Route 101 in the State of New Hampshire referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States on or before October 1, 1977. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment, the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such toll road and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Hampshire. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) Upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of

72 Stat. 885.  
23 USC 101 et  
seq.

the projects on said sections of Route 101 as provided in subsection (a) of this section, such sections of said route shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections:

(1) That section of Route 101 from Route 125 in Epping to Brentwood Corners, a distance of approximately two and thirty one-hundredths centerline miles.

(2) That section of Route 101 in the vicinity of Sells Corner in Auburn, beginning approximately two and forty one-hundredths centerline miles east of the junction of Interstate Route 93 and running easterly approximately two miles.

#### FREELING INTERSTATE TOLL BRIDGES

SEC. 132. Section 129, title 23, United States Code, as amended by section 139 of this Act, is amended by adding at the end thereof the following new subsection:

“(h) Notwithstanding the provisions of section 301 of this title, in the case of each State which, before January 1, 1975, shall have constructed or acquired any interstate toll bridge (including approaches thereto), which before January 1, 1975, caused such toll bridge to be made free, which bridge is owned and maintained by such State or by a political subdivision thereof, and which bridge is on the Federal-aid primary system (other than the Interstate System), sums apportioned to such State in accordance with paragraphs (1) and (3) of subsection (b) of section 104 of this title shall be available to pay the Federal share of a project under this subsection of (1) such amount as the Secretary determines to be the reasonable value of such bridge after deducting therefrom that portion of such value attributable to any grant or contribution previously paid by the United States in connection with the construction or acquisition of such bridge, and exclusive of rights-of-way, or (2) the amount by which the principal amount of the outstanding unpaid bonds or other obligations created and issued for the construction or acquisition of such bridge exceeds the amount of any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever is the lesser amount.”

#### STUDY OF TOLL BRIDGE AUTHORITY

SEC. 133. (a) The Secretary of Transportation is authorized and directed to undertake a full and complete investigation and study of existing Federal statutes and regulations governing toll bridges over the navigable waters of the United States for the purpose of determining what action can and should be taken to assure just and reasonable tolls nationwide. The Secretary shall submit a report of the findings of such study and investigation to the Congress not later than July 1, 1974, together with his recommendations for modifications or additions to existing laws, regulations, and policies, except that in the case of the toll bridge at Chester, Illinois, the Secretary shall submit a report to the Congress not later than December 31, 1973.

(b) The Secretary of Transportation shall promulgate regulations establishing guidelines governing any increase in tolls for use of any bridge constructed pursuant to either the General Bridge Act of 1906 or the General Bridge Act of 1946.

72 Stat. 885.  
23 USC 101 et  
seq.

Applicability.

Post, p. 270.

72 Stat. 912.  
23 USC 301.

Ante, p. 256;  
77 Stat. 276.

Federal  
statutes and regu-  
lations, investi-  
gation and study.

Report to  
Congress.

Regulations.

33 USC 491  
note.  
33 USC 525  
note.



## NATIONAL SCENIC HIGHWAY SYSTEM STUDY

SEC. 134. (a) The Secretary of Transportation shall make a full and complete investigation and study to determine the feasibility of establishing a national system of scenic highways to link together and make more accessible to the American people recreational, historical, scientific, and other similar areas of scenic interest and importance. In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the Commission on Highway Beautification, the States and their political subdivisions, and other interested private organizations, groups, and individuals. The Secretary shall report his findings and recommendations to the Congress not later than July 1, 1974, including an estimate of the cost of implementing such a program. There is authorized to be appropriated \$250,000 from the Highway Trust Fund to carry out this subsection.

Report to  
Congress.

Appropriation.

Parks and  
recreation areas,  
user access  
study.

(b) The Secretary of Transportation shall make a full and complete investigation and study to examine problems of user access to parks, recreation areas (including public recreation areas on Federal lakes), historic sites and wildlife refuges. Such study and investigation shall include, but not be limited to, an analysis of the desirability and feasibility of a national scenic road and parkways system referred to in subsection (a) including benefits to the user if any and the total long range environmental impact of such system on the Nation's recreation resources; alternatives to private automobile access to parks and recreation resources, including mass transit; and special problems of safe access to urban and metropolitan parks and recreation resources. In the conduct of such investigations and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States and their political subdivisions, and interested private organizations, groups and individuals. The Secretary shall report his findings and recommendations to the Congress not later than January 1, 1975, including an estimate of the cost of implementing any suggested programs.

Report to  
Congress.

## DISTRICT OF COLUMBIA

Nonapplica-  
bility.

D.C. Code  
7-108.

SEC. 135. None of the provisions of the Act entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities", approved March 2, 1893 (27 Stat. 532), as amended, shall apply to any segment of the Interstate System within the District of Columbia.

## CORRIDOR HEARINGS

SEC. 136. (a) The Secretary of Transportation shall permit no further action on Interstate Route I-287 between Montville and Mahwah, New Jersey, until new corridor hearings are held.

(b) The Secretary of Transportation shall permit no further action on the Corporation Freeway, Winston-Salem, North Carolina, until new corridor hearings are held.

(c) The new corridor hearings required by this section shall be held and the reports thereon shall be made no later than one year after the date of enactment of this section.

Reports.

## INTERSTATE SYSTEM

SEC. 137. (a) Paragraph (2) of subsection (e) of section 103 of title 23, United States Code, is amended as follows:

81 Stat. 772;  
84 Stat. 1716.



(1) The first sentence is amended by striking out "additional mileage for the Interstate System of two hundred miles, to be used in making modifications" and inserting in lieu thereof "additional mileage for the Interstate System of five hundred miles, to be used in making modifications".

(2) The fourth sentence is amended by striking out "the 1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised." and inserting in lieu thereof the following: "the 1972 Interstate System cost estimate set forth in House Public Works Committee Print Numbered 92-29, as revised in House Report Numbered 92-1443."

(3) The fifth sentence is amended by striking out "due regard" and inserting in lieu thereof the following: "preference, along with due regard for interstate highway type needs on a nationwide basis."

(b) Subsection (e) of section 103 of title 23, United States Code, is amended by adding the following:

"(4) Upon the joint request of a State Governor and the local governments concerned, the Secretary may withdraw his approval of any route or portion thereof on the Interstate System within any urbanized area in that State selected and approved in accordance with this title prior to the enactment of this paragraph, if he determines that such route or portion thereof is not essential to completion of a unified and connected Interstate System or will no longer be essential by reason of the application of this paragraph and will not be constructed as a part of the Interstate System, and if he receives assurances that the State does not intend to construct a toll road in the traffic corridor which would be served by such route or portion thereof. The mileage of the route or portion thereof approval of which is withdrawn under this paragraph shall be available for designation on the Interstate System in any other State in accordance with paragraph (1) of this subsection. After the Secretary has withdrawn his approval of any such route or portion thereof, whenever responsible local officials of such urbanized area notify the State highway department that, in lieu of a route or portion thereof approval for which is withdrawn under this paragraph, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a contractual obligation of the United States for payment out of the general funds in the Treasury of its proportional share of the cost of such project in an amount equal to the Federal share which would be paid for such a project under the Urban Mass Transportation Act of 1964, except that the total Federal cost of all such projects under this paragraph with respect to such route or portion thereof approval of which is withdrawn under this paragraph, shall not exceed the Federal share of the cost which would have been paid for such route or portion thereof, as such cost is included in the 1972 Interstate System cost estimate set forth in table 5 of House Public Works Committee Print Numbered 92-29, as revised in House Report Numbered 92-1443. Funds apportioned to such State for the Interstate System, which apportionment is based upon an Interstate System cost estimate that includes a route or portion thereof approval of which is withdrawn under this paragraph, shall be reduced by an amount equal to the Federal share of such project as such share

Ante, p. 268.

76 Stat. 1148;  
84 Stat. 1737.  
23 USC 134.

78 Stat. 302.  
49 USC 1601  
note.

becomes a contractual obligation of the United States. No general funds shall be obligated under authority of this paragraph after June 30, 1981. No nonhighway public mass transit project shall be approved under this paragraph unless the Secretary has received assurances satisfactory to him from the State that public mass transportation systems will fully utilize the proposed project. The provision of assistance under this paragraph shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable. Funds available for expenditure to carry out the purposes of this paragraph shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended. The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph."

80 Stat. 403.  
5 USC 1501.

78 Stat. 302.  
49 USC 1601  
note.  
49 USC 1602.

#### PUBLIC MASS TRANSPORTATION STUDIES

##### Evaluation.

SEC. 138. (a) The Secretary shall, in cooperation with the Governor of each State and appropriate local officials, make an evaluation of that portion of the 1972 National Transportation Report, pertaining to public mass transportation. Such evaluation shall include all urban areas. The evaluation shall include but not be limited to the following:

(1) Refining the public mass transportation needs contained in such report.

(2) Developing a program to accomplish the needs of each urban area for public mass transportation.

(3) Analyzing the existing funding capabilities of Federal, State, and local governments for meeting such needs.

(4) Analyzing other funding capabilities of Federal, State, and local governments for meeting such needs.

(5) Determining the operating and maintenance costs relating to the public mass transportation system.

(6) Determining and comparing fare structures of all public mass transportation systems.

##### Report to Congress.

The Secretary shall, not later than July 1, 1974, report to Congress the results of this evaluation together with his recommendations for necessary legislation.

##### Tax revenues, study.

(b) The Secretary shall conduct a study of revenue mechanisms, including a tax on fuels used in the provision of urban mass transportation service, and an additional gasoline tax imposed in urban areas, which could be used now or in the future to finance transportation activities receiving financial assistance from the Highway Trust Fund. Such study shall include an analysis of the magnitude of the various potential sources of user tax revenues, the rates at which such taxes could be levied (including possible differential rates), the mechanisms for collection of such taxes, the incidence of such taxes, and the potential impact on transit usage caused by such taxes. The Secretary shall report to the Congress the findings of his study by no later than the 180th day after the date of enactment of this section.

##### Appropriation.

(c) There is hereby authorized not to exceed \$10,000,000 to carry out this section.

#### FERRY OPERATIONS

84 Stat. 1736.

SEC. 139. (a) The last subsection of section 129 of title 23, United States Code, is hereby redesignated as subsection (g).

(b) Paragraph (5) of subsection (g) of section 129 of title 23, United States Code, as redesignated in subsection (a) of this section, is amended to read as follows:

*Ante*, p. 270.

“(5) Such ferry may be operated only within the State (including the islands which comprise the State of Hawaii) or between adjoining States. Except with respect to operations between the islands which comprise the State of Hawaii and operations between the States of Alaska and Washington, or between any two points within the State of Alaska, no part of such a ferry operation shall be in any foreign or international waters.”

#### METRO ACCESSIBILITY TO THE HANDICAPPED

SEC. 140. The Secretary of Transportation is authorized to make payments to the Washington Metropolitan Area Transit Authority in amounts sufficient to finance 80 per centum of the cost of providing such facilities for the subway and rapid rail transit system authorized in the National Capital Transportation Act of 1969 (83 Stat. 320) as may be necessary to make such subway and system accessible by the handicapped through implementation of Public Laws 90-480 and 91-205. There is authorized to be appropriated, to carry out this section, not to exceed \$65,000,000.

Payments to the  
Washington Metro-  
politan Area  
Transit Authority.

D.C. Code  
1-1441 note.

82 Stat. 718;  
84 Stat. 49.  
42 USC 4151.

#### ENVIRONMENTAL IMPACT STATEMENTS

SEC. 141. (a) The Secretary of Transportation shall, not later than forty-five days after the date of enactment of this section, complete all necessary action on (1) the environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and (2) the application for approval under the General Bridge Act of 1946, with respect to the proposal for construction by the Department of Transportation of the State of New Jersey of a bridge over the Raritan River in such State for the purpose of such State's Highway Route 18.

83 Stat. 853.  
42 USC 4332.  
60 Stat. 847.  
33 USC 525  
note.

(b) The Secretary of Transportation shall—

(1) by October 1, 1973—

(A) complete the draft environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act and his determination under section 4(f) of the Department of Transportation Act and section 138 of title 23 of the United States Code, on the project for Interstate Route Numbered 66 in the State of Virginia from the National Capital Beltway to the Potomac River, which project is described in the 1972 estimate of the cost of completing the National System of Interstate and Defense Highways as estimate section termini E 10.4.2 at the Beltway to E 10.11.1 in Rosslyn,

82 Stat. 824.  
49 USC 1653.  
82 Stat. 823.

(B) circulate such statement to all interested Federal, State, and local agencies and to the public for comment within forty-five days, and

(C) insure that notice of a public hearing on the design and location of such project is issued;

(2) insure that a public hearing is held within forty-five days after issuance of the notice pursuant to paragraph (1)(C) of this subsection; and

(3) not later than December 31, 1973, complete consideration of the information received at the hearing, review any comments on the statement received within the forty-five-day notice period referred to in paragraph (1)(B) of this subsection and any other

information received by the end of such forty-five-day period and file the final version of such statement on the basis of such comments and information, together with any other final determination which he is required by law to make in order to permit the construction of such project to proceed. The determination of the Secretary shall be conclusive with respect to all issues of fact.

#### TRUCK LANES

*Ante*, p. 265.

SEC. 142. (a) Chapter 1 of title 23, United States Code, is amended by adding to the end thereof the following new section:

#### “§ 149. Truck lanes

“The Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential truck lanes.”

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

“149. Truck lanes.”

#### HIGHWAY STUDIES

Report to Congress.

SEC. 143. The Secretary of Transportation shall report to Congress by January 1, 1975, on the feasibility and necessity for constructing to appropriate standards proposed highways along the following routes:

(1) A route from Brunswick, Georgia, or its vicinity, to Kansas City, Missouri, or its vicinity, so aligned to serve the following intermediate locations, or vicinities thereof: Columbus, Georgia; Birmingham, Alabama; Tupelo, Mississippi; Memphis, Tennessee; Batesville or Jonesboro, Arkansas; and Springfield, Missouri.

(2) A route from Kansas City, Missouri, or its vicinity, to Chicago, Illinois, or its vicinity, so aligned as to cross the Mississippi River at a point between Nauvoo, Illinois, on the north, and Hannibal, Missouri, on the south.

(3) A route from Amarillo, Texas, or its vicinity to Las Cruces, New Mexico, or its vicinity, so aligned as to serve the following intermediate locations, or vicinities thereof: Hereford, Texas; Clovis, New Mexico; Portales, New Mexico; Roswell, New Mexico; Ruidoso, New Mexico; Tularosa, New Mexico; and Alamogordo, New Mexico together with a branch route from Alamogordo, New Mexico, or its vicinity, to El Paso, Texas, or its vicinity, to connect with Interstate Route No. 10 and the port of entry with Mexico.

(4) A route from the Port of Catoosa, Catoosa, Oklahoma, or its vicinity, to Interstate Route No. 35 to Ponca City, Oklahoma, or its vicinity.

(5) Extension of Interstate Highway 70 from Cove Fort, Utah, or its vicinity, in a westerly direction, so aligned to serve the intermediate locations of Ely and Carson City, Nevada, or their vicinities.

(6) A route from Kansas City, Missouri, or its vicinity, to Baton Rouge, Louisiana, or its vicinity, so aligned to serve one or both of the following intermediate locations or vicinities thereof: Fayetteville, Fort Smith, and Texarkana, Arkansas; or Little Rock, Arkansas, or any other route through the State of Arkansas determined feasible by such State and the Secretary.

(7) A route from Interstate Highway 380 from Waterloo, Iowa, via Dubuque, Iowa, to Interstate Highway 90 at Rockford, Illinois; and an extension of Interstate Highway 74 from the Davenport, Iowa-Moline, Illinois, area through Dubuque, Iowa, to Interstate 90 at LaCrosse, Wisconsin.



(8) Extension of Interstate Highway 27 from Lubbock, Texas, or its vicinity in a southerly direction to intersect with Interstate 20 and, proceeding further, to intersect with Interstate 10.

(9) A route from Salina, Kansas, or its vicinity, in a northerly direction to intersect with Interstate 80 in the vicinity of York, Nebraska, and, proceeding further, to Interstate 29 in the vicinity of Watertown, South Dakota.

(10) A route from Wichita, Kansas, or its vicinity to Tucumcari, New Mexico, or its vicinity, so aligned to serve the following intermediate locations or vicinities thereof: Pratt, Kansas; Meade, Kansas; Liberal, Kansas; Guymon, Oklahoma; Stafford, Texas; Dalhart, Texas; and Logan, New Mexico; or any other route through the State of Kansas determined feasible by such State and the Secretary.

#### INTER-AMERICAN HIGHWAY

SEC. 144. Section 4 of the Federal-Aid Highway Act of 1962 (Public Law 87-866; 76 Stat. 1145) is amended by striking out "\$32,000,000" and inserting in lieu thereof "\$42,000,000".

#### DONATIONS

SEC. 145. (a) Chapter 3 of title 23 of the United States Code is amended by adding at the end thereof the following:

72 Stat. 912;  
84 Stat. 1742.  
23 USC 301.

##### **"§ 323. Donations**

"Nothing in this title, or in any other provision of law, shall be construed to prevent a person whose real property is being acquired in connection with a project under this title, after he has been tendered the full amount of the estimated just compensation as established by an approved appraisal of the fair market value of the subject real property, from making a gift or donation of such property, or any part thereof, or of any of the compensation paid therefor, to a Federal agency, a State or a State agency, or a political subdivision of a State, as said person shall determine."

(b) The analysis of chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following:

"323. Donations."

#### HIGH-SPEED TRANSPORTATION DEMONSTRATION

SEC. 146. The Secretary is authorized to undertake a study and demonstration program for high-speed bus service from collection points in the Washington, District of Columbia area to Dulles International Airport, Virginia. Such study and demonstration shall utilize exclusive bus transportation lanes between points of origin and termination of such service, and include, where necessary, the construction of such exclusive bus transportation lanes as well as terminal and parking facilities. Such study and demonstration shall also include the purchase of high-speed buses. As necessary to implement this section, the Secretary shall undertake research into the development of buses designed to maintain high-speed, safe transportation. Not to exceed \$10,000,000 of the amount authorized to be apportioned under section 104(b) (6) of title 23, United States Code, for the fiscal year ending June 30, 1975, shall be available to the Secretary to carry out this section and such sum shall be set aside for such purpose prior to the apportionment of such amount for such fiscal year.

High-speed bus  
service, study.

Ante, p. 256.



## RURAL HIGHWAY PUBLIC TRANSPORTATION DEMONSTRATION PROGRAM

Appropriation.

SEC. 147. To encourage the development, improvement, and use of public mass transportation systems operating vehicles on highways for transportation of passengers within rural areas, in order to enhance access of rural populations to employment, health care, retail centers, education, and public services, there are authorized to be appropriated \$30,000,000 for the two-fiscal-year period ending June 30, 1976, of which \$20,000,000 shall be out of the Highway Trust Fund, to the Secretary of Transportation to carry out demonstration projects for public mass transportation on highways in rural areas. Projects eligible for Federal funds under this section shall include highway traffic control devices, the construction of passenger loading areas and facilities, including shelters, fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers, and the purchase of passenger equipment other than rolling stock for fixed rail.

## FEDERAL-AID SYSTEMS REALIGNMENT

72 Stat. 887.

SEC. 148. (a) Section 103(b) of title 23, United States Code, is renumbered as section 103(b) (1) and a new section 103(b) (2) is added to read as follows:

"(2) After June 30, 1976, the Federal-aid primary system shall consist of an adequate system of connected main roads important to interstate, statewide, and regional travel, consisting of rural arterial routes and their extensions into or through urban areas. The Federal-aid primary system shall be designated by each State acting through its State highway department and where appropriate, shall be in accordance with the planning process pursuant to section 134 of this title, subject to the approval of the Secretary as provided by subsection (f) of this section."

72 Stat. 888;  
76 Stat. 1147.

(b) Section 103(c) of title 23, United States Code, is renumbered as section 103(c) (1) and a new subsection 103(c) (2) is added to read as follows:

"(2) After June 30, 1976, the Federal-aid secondary system shall consist of rural major collector routes. The Federal-aid secondary system shall be designated by each State through its State highway department and appropriate local officials in cooperation with each other, subject to the approval of the Secretary as provided in subsection (f) of this section."

Ante, p. 255.

(c) Section 103(d) of title 23, United States Code, is renumbered as section 103(d) (1) and a new subsection 103(d) (2) is added to read as follows:

"(2) After June 30, 1976, the Federal-aid urban system shall be located in each urbanized area and such other urban areas as the State highway departments may designate and shall consist of arterial routes and collector routes, exclusive of urban extensions of the Federal-aid primary system. The routes on the Federal-aid urban system shall be designated by appropriate local officials, with the concurrence of the State highway departments, subject to the approval of the Secretary as provided in subsection (f) of this section, and in the case of urbanized areas shall also be in accordance with the planning process required pursuant to the provisions of section 134 of this title."

84 Stat. 1716.

76 Stat. 1148;  
84 Stat. 1737;  
23 USC 134.

(d) Federal-aid systems realignment shall be based upon anticipated functional usage in the year 1980 or a planned connected system.

(e) In addition to the foregoing amendments, the second sentence of section 103(c) (1) of title 23, United States Code, is amended to insert, after the words "local rural roads," the phrase, "access roads to airports,".

Supra.

## TOLL ROAD REIMBURSEMENT PROGRAM

SEC. 149. (a) Whenever the State of Louisiana has received its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System, or on or after July 1, 1977, whichever first occurs, the Secretary shall, notwithstanding the provisions of subsection (b) of section 129 of title 23 of the United States Code, reimburse the Federal share of the actual cost of construction of new toll highways or improvements to existing toll highways in that State, construction of which highways or improvement is begun after July 1, 1973, but not including the cost of toll collection and service facilities, on the same basis and in the same manner as in the construction of free highways under chapter 1 of title 23 of the United States Code upon compliance with the conditions contained in this section.

*Ante*, p. 259.72 Stat. 885.  
23 USC 101.

(b) The Secretary shall reimburse the Federal share of the costs of construction as applicable to a project under section 120(a) of title 23 of the United States Code from funds apportioned to such State pursuant to paragraph (1) of subsection (b) of section 104 of title 23 of the United States Code whenever the State enters into an agreement with the Secretary whereby it undertakes performance of the following obligations:

82 Stat. 835;  
84 Stat. 1718.*Ante*, p. 256.

(1) to provide for the construction of such highway in accordance with standards approved by the Secretary;

(2) all tolls received from the operation of such highway, less the actual cost of such operation and maintenance, shall be applied by the State to the repayment of the actual costs of construction, except for an amount equal to the Federal share payable of such actual costs of a project; and

(3) no tolls shall be charged for the use of such highway after the Federal share has been paid and the highway shall be maintained and operated as a free highway.

Upon the enactment of this section the Secretary shall, at the request of the State of Louisiana, enter into an agreement with that State if such agreement meets the requirements of this subsection. Reimbursements shall not be made until after the State receives its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System or July 1, 1977, whichever first occurs.

(c) Such highway shall be designated as a part of the Federal-aid primary system, other than the Interstate System, before the payment of any Federal funds under this section, notwithstanding the mileage limitations in subsection (b) of section 103 of title 23 of the United States Code.

*Ante*, p. 274.

(d) The Federal share payable of such actual cost of the project shall be made in not more than fifteen equal annual installments, from the funds apportioned to the State pursuant to paragraph (1) of subsection (b) of section 104 of title 23 of the United States Code, with the first installment being made either (1) one year after the project agreement has been entered into between the Secretary and the State highway department or (2) either one year after the State receives its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System, or July 1, 1977, whichever first occurs, whichever of such clause (1) or (2) is last to occur. Such payment shall be applied against the outstanding obligations of the project.

## PARKWAYS

SEC. 150. (a) Subsection (a) of section 207 of title 23, United States Code, is amended to read as follows:

72 Stat. 908.

"(a) Funds available for parkways shall be used to pay for the cost of construction and improvement thereof, including the acquisition of rights-of-way and related scenic easements."

*Ante*, p. 275.

(b) Section 207 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Any parkway project on a Federal-aid system shall be subject to all of the requirements of this title and of any other law applicable to highways on such system."

#### RESEARCH AND PLANNING

77 Stat. 277.

SEC. 151. Subsection (c) (1) of section 307 of title 23, United States Code, is amended to read as follows:

*Ante*, p. 256.

"(c) (1) Not to exceed 1½ per centum of the sums apportioned for each fiscal year beginning with fiscal year 1974 to any State under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations; for the planning of future highway programs and local public transportation systems and for planning for the financing thereof; for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for research and development, necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use."

#### TECHNICAL AMENDMENTS

72 Stat. 885.

SEC. 152. Title 23, United States Code, is amended as follows:

84 Stat. 1734.

(1) Section 101(a) is amended by striking out "Secretary of Commerce" and inserting in lieu thereof "Secretary of Transportation".

(2) Section 109(g) is amended by striking out "Rct" and inserting in lieu thereof "Act".

72 Stat. 901,  
914.

(3) Sections 126(a) and 310 are amended by striking out "Commerce" each place it appears and inserting in lieu thereof "Transportation".

(4) The heading of section 303 is amended to read:

**"Administration organization."**

(5) Sections 308(b), 309, 312, and 314 are amended by striking out "Bureau of Public Roads" each place it appears and inserting in lieu thereof "Federal Highway Administration".

(6) Sections 312 and 314 are amended by striking out "Commerce" each place it appears and inserting in lieu thereof "Transportation".

#### INCREASED FEDERAL SHARE—EFFECTIVE DATE

84 Stat. 1718.  
23 USC 120  
note.

SEC. 153. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1970 is amended to read as follows:

"(b) The amendments made by subsection (a) of this section shall take effect with respect to all obligations incurred after June 30, 1973."

#### TERMINATION OF FEDERAL-AID RELATIONSHIP

SEC. 154. (a) Notwithstanding any other provisions of Federal law or any court decision to the contrary, the contractual relationship between the Federal and State Governments shall be ended with respect to all portions of the San Antonio North Expressway between Interstate Highway 35 and Interstate Loop 410, and the expressway shall cease to be a Federal-aid project.

(b) The amount of all Federal-aid highway funds paid on account of sections of the San Antonio North Expressway in Bexar County, Texas (Federal-aid projects numbered U 244(7), U 244(10), UG 244(9), U 244(8), and U 244(11)), shall be repaid to the Treasurer of the United States and the amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which funds have been repaid and any other Federal-aid projects located on such expressway and programed for expenditure on such project, if any, shall be canceled and withdrawn from the Federal-aid highway program. Any amount so repaid, together with the unpaid balance of any amount programed for expenditure on any such project shall be credited to the unprogramed balance of Federal-aid highway funds of the same class last apportioned to the States, respectively. The amount so credited shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended.

72 Stat. 885.  
23 USC 101 et  
seq.

#### HIGHWAY LITTER STUDY

SEC. 155. (a) The Secretary is directed to undertake a study of litter accumulation within the rights-of-way of the Federal-aid highway systems and recommend improved procedures to be used by the several States to prevent and clean up such highway litter on a regular basis. The Secretary shall report his findings and recommendations to the Congress by June 30, 1974.

Report to  
Congress.

(b) For the purposes of this section, the term "litter" means beverage and food containers, food wastes, paper products, smoking materials or packaging, and any other materials which the Secretary finds are commonly used and discarded by the traveling public and which, when discarded along highway rights-of-way, cause an unsightly appearance, a danger to public health or safety, or an unreasonable expenditure of public funds.

(c) 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 required by this section.

72 Stat. 913.

#### BRIDGE APPROACH STANDARDS

SEC. 156. Section 109 of title 23, United States Code, is amended by adding at the end thereof the following subsection:

84 Stat. 1734.

"(k) The Secretary shall not approve any project involving approaches to a bridge under this title, if such project and bridge will significantly affect the traffic volume and the highway system of a contiguous State without first taking into full consideration the views of that State."

#### ALLOCATION OF URBAN SYSTEM FUNDS

SEC. 157. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

Ante, p. 272.

#### "§ 150. Allocation of urban system funds

"The funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title that are attributable to urbanized areas of 200,000 population or more shall be made available for expenditure in such urbanized areas for projects in programs approved under subsection (d) of section 105 of this title in accordance with a fair and equitable formula developed by the State which formula has been approved by the Secretary. Such formula shall provide for fair and equitable treatment of incorporated municipalities of 200,000 or more population. Whenever such a formula has not been developed and

84 Stat. 1717.  
23 USC 104.

Ante, p. 255.



*Ante*, p. 256.

approved for a State, the funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title which are attributable to urbanized areas having a population of 200,000 or more shall be allocated among such urbanized areas within such State for projects in programs approved under subsection (d) of section 105 of this title in the ratio that the population within each such urbanized area bears to the population of all such urbanized areas, or parts thereof, within such State. In the expenditure of funds allocated under the preceding sentence, fair and equitable treatment shall be accorded incorporated municipalities of 200,000 or more population."

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

"150. Allocation of urban system funds."

#### FRANCONIA NOTCH, NEW HAMPSHIRE

77 Stat. 277;  
80 Stat. 767.

SEC. 158. Notwithstanding section 109(b) of title 23 of the United States Code, the Secretary of Transportation is authorized, upon application of the Governor of the State, to approve construction of that section of Interstate Route 93 from B20.6 an interchange with State route 3A in North Woodstock, New Hampshire, to B22.1 an interchange with U.S. Route 3 in Franconia, New Hampshire, approximately twelve miles in length, as a parkway type highway to geometric and construction standards (whether or not in accordance with section 109(b)) which the Secretary determines are necessary for the safety of the traveling public, for the protection of the environment, and for the preservation of the park-like and historic character of the Franconia Notch area adjacent to the highway. The State of New Hampshire, with the concurrence of the Secretary, is authorized to permit the use of the above section of highway to specified types of vehicles during specified times of the day and of the year.

#### DWIGHT D. EISENHOWER HIGHWAY

SEC. 159. (a) The following segments of the National System of Interstate and Defense Highways which form a continuous interstate highway link from coast to coast are hereby designated as the "Dwight D. Eisenhower Highway":

(1) Interstate Route 70 between Washington, District of Columbia, and Denver, Colorado;

(2) Interstate Route 25 between Denver, Colorado, and Cheyenne, Wyoming; and

(3) Interstate Route 80 between Cheyenne, Wyoming, and San Francisco, California.

(b) Any law, regulation, map, document, record, or other paper of the United States in which such segments are designated or referred to shall be held to designate or refer to such segments as the "Dwight D. Eisenhower Highway".

#### CUMBERLAND GAP NATIONAL HISTORICAL PARK

72 Stat. 885.

SEC. 160. (a) Notwithstanding the definition of parkways in subsection (a) of section 101, funds available for parkways shall be available to finance the cost of reconstruction and relocation of Route 25E through the Cumberland Gap National Historical Park, including construction of a tunnel and the approaches thereto, so as to permit restoration of the Gap and provide adequate traffic capacity.

(b) Upon construction, such highway and tunnel and all associated lands and rights-of-way shall be transferred to the National Park Service and managed as part of the Cumberland Gap National Historical Park.

## HIGHLAND SCENIC HIGHWAY

SEC. 161. (a) The Secretary of Agriculture (acting through the Forest Service) is authorized to develop and construct as a parkway the Highland Scenic Highway from West Virginia State Route 39 to U.S. 250 near Barton Knob. Notwithstanding subsection (c) of section 103 of title 23, United States Code, such parkway shall be a route on the Federal-aid secondary system.

*Ante*, p. 274.

(b) The route from Richwood, West Virginia, to U.S. 250 near Barton Knob, via West Virginia State Route 39 and the parkway authorized by subsection (a) of this section shall be designated as the Highland Scenic Highway.

(c) The Secretary of Agriculture is authorized to acquire rights-of-way, land containing such rights-of-way, and interests in land, including scenic easements and mineral rights, necessary to carry out the purpose of a scenic highway. In addition to the acquisition of such lands and interests in lands, funds available for parkways shall be available for the reclamation of lands within the scenic corridor of the Highland Scenic Highway.

Land acquisition.

(d) Funds available for parkways shall be available for signs on Interstate highways, Appalachian highways and other appropriate highways at natural points of access to such geographic area, indicating the direction and distance to the Highland Scenic Highway and to Richwood as "Gateway to the Highland Scenic Highway".

(e) Funds available for parkways shall be available for upgrading that portion of West Virginia State Route 39 designated as the Highland Scenic Highway to appropriate standards for a scenic and recreational highway, including the construction of vistas and other scenic improvements.

(f) The Highland Scenic Highway as authorized by subsection (a) of this section and all associated lands and rights-of-way shall be managed as part of the Monongahela National Forest, solely for scenic and recreational use and passenger car travel.

(g) The Highland Scenic Highway as authorized by subsection (a) of this section shall be designed and constructed in accordance with standards appropriate for a scenic highway, providing for moderate speeds and minimizing modification to topographic contours and natural drainage.

Design and construction standards.

(h) Construction of the portion of the Highland Scenic Highway as authorized by subsection (a) of this section which is proposed to be constructed through the upper Shavers Fork watershed shall not be initiated until—

Upper Shavers Fork watershed portion, construction conditions.

(1) the Forest Service has acquired sufficient lands and interests in land (including mineral rights) in such watershed to assure an adequate scenic corridor for the Highland Scenic Highway and the control of water quality in Shavers Fork; and

(2) the completion of a geological and soil survey of any proposed route, conducted in cooperation with the Division of Water Resources of the West Virginia Department of Natural Resources.

(i) Any parkway authorized in the future to proceed southward in such area shall begin in the immediate vicinity of Richwood, West Virginia.

(j) Any connection of the Highland Scenic Highway as authorized by subsection (a) of this section with Corridor H of the Appalachian Development Highway System or any more northerly segment of the Highland Scenic Highway shall utilize existing routes and not involve construction through the Monongahela National Forest between U.S. 250 and Cunningham Knob.

## PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

*Ante*, p. 273.

SEC. 162. (a) Chapter 3 of title 23, United States Code is amended by adding at the end thereof the following new section:

**“§ 324. Prohibition of discrimination on the basis of sex**

“No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee.”

78 Stat. 252.  
42 USC 2000d.

(b) The analysis of chapter 3, title 23, United States Code, is amended by adding at the end thereof the following:

“324. Prohibition of discrimination on the basis of sex.”.

## DEMONSTRATION PROJECT—RAILROAD-HIGHWAY CROSSINGS

SEC. 163. (a) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration projects in Lincoln, Nebraska, Wheeling, West Virginia, and Elko, Nevada, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the respective cities. The cities shall (1) have a local agency with legal authority to relocate railroad facilities, levy taxes for such purpose, and a record of prior accomplishment; and (2) have a current relocation plan for such lines which has a favorable benefit-cost ratio involving and having the unanimous approval of three or more class 1 railroads in Lincoln, Nebraska, and the two class 1 railroads in Wheeling, West Virginia, and Elko, Nevada, and multicivic, local, and State agencies, and which provides for the elimination of a substantial number of the existing railway-road conflict points within the city.

(b) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois.

(c) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration projects in Brownsville, Texas, and Matamoros, Mexico, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the Brownsville Navigation District, providing for the construction of an international bridge and for the elimination of a substantial number of existing railway-road conflict points within the cities.

(d) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in East Saint Louis, Illinois, for the relocation of rail lines between Thirteenth and Forty-third Streets, in accordance with methodology approved by the Secretary. The Secretary of Transportation shall carry out a demonstration project for the relocation of rail lines in the vicinity of Carbondale, Illinois.

(e) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in New Albany, Indiana, for the elimination of the existing rail loop and relocation of rail lines to a location between Vincennes Street and East

Eighth Street, in accordance with methodology approved by the Secretary.

(f) The Secretary of Transportation shall carry out demonstration projects for the construction of an overpass at the rail-highway grade crossing on Cottage Grove Avenue between One Hundred Forty-second Street and One Hundred Thirty-eighth Street in the village of Dolton, Illinois, and the construction of an overpass at the rail-highway grade crossing at Vermont Street and the Rock Island Railroad tracks in the city of Blue Island, Illinois.

(g) The Secretary of Transportation shall carry out a demonstration project for the elimination of the ground level railroad highway crossing on United States Route 69 in Greenville, Texas.

(h) The Secretary of Transportation shall carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the Seventh Avenue and County Road 7 railroad-highway grade crossing.

(i) The Federal share payable on account of such projects shall be that provided in section 120 of this title.

(j) The Secretary shall make annual reports and a final report to the President and the Congress with respect to his activities pursuant to this section.

(k) There is authorized to be appropriated to carry out this section (other than subsection (l)) not to exceed \$15,000,000 for the fiscal year ending June 30, 1974, \$25,000,000 for the fiscal year ending June 30, 1975, and \$50,000,000 for the fiscal year ending June 30, 1976, except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust fund.

(l) The Secretary, in cooperation with State highway departments and local officials, shall conduct a full and complete investigation and study of the problem of providing increased highway safety by the relocation of railroad lines from the central area of cities on a nationwide basis, and report to the Congress his recommendations resulting from such investigation and study not later than July 1, 1975, including an estimate of the cost of such a program. 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 required by this subsection.

72 Stat. 898.

23 USC 120.

Reports to  
President and  
Congress.

Appropriation.

Highway safety  
study.

Report to  
Congress.

72 Stat. 913.

#### FINANCIAL ASSISTANCE AGREEMENTS

SEC. 164. (a) No Federal financial assistance shall be provided under (1) subsection (a) or (c) of section 142, title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) the Urban Mass Transportation Act of 1964, for the purchase of buses to any applicant for such assistance unless such applicant and the Secretary of Transportation shall have first entered into an agreement that such applicant will not engage in charter bus operations in competition with private bus operators outside of the area within which such applicant provides regularly scheduled mass transportation service. A violation of such agreement shall bar such applicant from receiving any other Federal financial assistance under those provisions of law referred to in clauses (1), (2), and (3) of this subsection.

(b) No Federal financial assistance shall be provided under (1) subsection (a) or (c) of section 142, title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) the Urban Mass Transportation Act of 1964, for the purchase of buses to any applicant for such assistance unless such applicant and the Secretary of Transportation shall have first entered into

Ante, p. 259.

Ante, p. 269.

78 Stat. 302.  
49 USC 1601  
note.



an agreement that such applicant will not engage in school bus operations, exclusively for the transportation of students and school personnel, in competition with private school bus operators. This subsection shall not apply to an applicant with respect to operation of a school bus program if the applicant operates a school system in the area to be served and operates a separate and exclusive school bus program for this school system. This subsection shall not apply unless private school bus operators are able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards, and this subsection shall not apply with respect to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting school children and personnel along with facilities to be used therefor) was so engaged in school bus operations any time during the twelve-month period immediately prior to the date of the enactment of this subsection. A violation of an agreement under this subsection shall bar such applicant from receiving any other Federal financial assistance under those provisions of law referred to in clauses (1), (2), and (3) of this subsection.

#### BUS AND OTHER PROJECT STANDARDS

SEC. 165. (a) The Secretary of Transportation shall require that buses acquired with Federal financial assistance under (1) subsection (a) or (c) of section 142 of title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) section 147 of the Federal-aid Highway Act of 1973 meet the standards prescribed by the Administrator of the Environmental Protection Agency under section 202 of the Clean Air Act, and under section 6 of the Noise Control Act of 1972, and shall authorize the acquisition, wherever practicable, of buses which meet the special criteria for low-emission vehicles set forth in section 212 of the Clean Air Act, and for low-noise-emission products set forth in section 15 of the noise Control Act of 1972.

(b) The Secretary of Transportation shall assure that projects receiving Federal financial assistance under (1) subsection (a) or (c) of section 142 of title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) section 147 of the Federal-aid Highway Act of 1973 shall be planned and designed so that mass transportation facilities and services can effectively be utilized by elderly and handicapped persons who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability are unable without special facilities or special planning or design to utilize such facilities and services as effectively as persons not so affected.

## TITLE II

### SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1973".

### HIGHWAY SAFETY

SEC. 202. The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, \$100,000,000 for the fiscal year ending June 30, 1974, \$125,000,000 for

*Ante*, p. 259.

*Ante*, p. 269.

*Ante*, p. 274.

84 Stat. 1690.

42 USC 1857f-1.

86 Stat. 1237.

42 USC 4905.

84 Stat. 1700.

42 USC 1857f.

6e.

86 Stat. 1245.

42 USC 4914.

Appropriation.

*Post*, p. 290.

the fiscal year ending June 30, 1975, and \$150,000,000 for the fiscal year ending June 30, 1976.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, \$42,500,000 for the fiscal year ending June 30, 1974, \$55,000,000 for the fiscal year ending June 30, 1975, and \$65,000,000 for the fiscal year ending June 30, 1976.

*Post*, p. 286.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, \$25,000,000 for the fiscal year ending June 30, 1974, \$30,000,000 for the fiscal year ending June 30, 1975, and \$35,000,000 for the fiscal year ending June 30, 1976.

*Post*, p. 290.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, not to exceed \$10,000,000 per fiscal year.

72 Stat. 913;  
84 Stat. 1723.

#### RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) Each State shall conduct and systematically maintain a survey of all highways to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum, such a schedule shall provide signs for all railroad-highway crossings.

State survey.

Signs.

(b) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated out of the Highway Trust Fund for projects for the elimination of hazards of railway-highway crossings \$25,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976. At least half of the funds authorized and expended under this section shall be available for the installation of protective devices at railway-highway crossings. Such sums shall be available for obligation in the same manner, and to the same extent as if such funds were apportioned under this chapter.

Hazard elimination,  
additional appropriation.  
72 Stat. 903.

Protective  
devices.

(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System).

Funds, restriction.

(d) 50 percent of the funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under subsection (a) (1) of section 104 of the Federal-Aid Highway Act of 1973 and 50 percent of the funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under subsection (a) (2) of section 104 of the Federal-Aid Highway Act of 1973. The Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

State apportionment.

*Ante*, p. 251.

(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement the railroad-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1, of each year thereafter,

Report to  
Secretary of  
Transportation.

Report to  
Congress.

on the progress being made by the States in implementing projects to improve railroad-highway crossings. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a), and include recommendation for future implementation of the railroad-highway crossings program.

Matching funds.

(f) Funds authorized by this section may be used to provide local government with funds to be used on a matching basis when State funds are available which may only be spent when local government produces matching funds for the improvement of railroad crossings.

#### BRIDGE RECONSTRUCTION AND REPLACEMENT

84 Stat. 1741.

SEC. 204. (a) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973," the following: "\$25,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976".

Funds, restriction.

(b) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system."

(c) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

#### PAVEMENT MARKING DEMONSTRATION PROGRAM

Ante, p. 277.

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

##### "§ 151. Pavement marking demonstration program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

72 Stat. 891.  
23 USC 105.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

Appropriation.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1974, \$25,000,000, and for each of the fiscal years ending June 30, 1975, and June 30,

1976, out of the Highway Trust Fund, the sum of \$75,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

“(f) Funds not required for pavement-marking projects authorized by this section may be released by the Secretary for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator for carrying out this program.

Released funds.

Condition.

“(g) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the number, rate, and severity of accidents at improved locations and the cost-benefit ratio of such improvements, comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such pavement markings. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made in implementing the program and the safety benefits achieved under it.”

Report to Secretary of Transportation.

Report to Congress.

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

“151. Pavement marking demonstration program.”

#### PAVEMENT MARKING RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs to improve the effectiveness and durability of various types of pavement markings and related delineators, to develop improved equipment and techniques for applying, erecting, and maintaining such markings and delineators, and to develop new traffic control materials, devices, and related delineators to assist the traveling public during adverse weather and nighttime driving conditions.

72 Stat. 913;  
84 Stat. 1723.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, \$10,000,000 for the fiscal year ending June 30, 1974, and \$10,000,000 for the fiscal year ending June 30, 1975.

Appropriation.

#### HIGHWAY SAFETY ON INDIAN RESERVATIONS

SEC. 207. (a) Section 402 of title 23 of the United States Code is amended by adding a new subsection (i) as follows:

80 Stat. 731;  
84 Stat. 1740.

“(i) For the purpose of the application of this section on Indian reservations, ‘State’ and ‘Governor of a State’ includes the Secretary of the Interior and ‘political subdivision of a State’ includes an Indian tribe: *Provided*, That, notwithstanding the provisions of subparagraph (C) of subsection (b)(1) hereof, 95 per centum of the funds apportioned to the Secretary of the Interior after date of enactment, shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions: *And provided further*, That the provisions of subparagraph (E) of subsection (b)(1) hereof shall be

Post, p. 294.



applicable except in those tribal jurisdictions in which the Secretary determines such programs would not be practicable.”

80 Stat. 731;  
84 Stat. 1740.

(b) Subsection (d) of section 402 of title 23, United States Code, is amended by inserting before the period at the end of the first sentence thereof the following: “and except that, in the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary”.

#### DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

80 Stat. 733.

SEC. 208. (a) Section 403 of title 23, United States Code, is amended by inserting “(a)” immediately before the first sentence thereof, and by striking out “this section” each place it appears and inserting in lieu thereof “this subsection”, and by adding at the end thereof the following new subsections:

“(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

“(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

“(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

“(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals.”

Appropriation.

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of \$10,000,000 per fiscal year for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976.

#### PROJECTS FOR HIGH-HAZARD LOCATIONS

Ante, p. 284.

SEC. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

#### “§ 152. Projects for high-hazard locations

Engineering  
survey.

“(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify high-hazard locations which may constitute a danger to vehicles and to pedestrians, assign priorities for the correction of such locations, and establish and implement a schedule of projects for their improvement.

Appropriation.

“(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated, out of the Highway Trust Fund, for the fiscal year ending June 30, 1974, \$50,000,000, and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of \$75,000,000 shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

“(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa.

Funds, restriction.

“(d) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 492(c) of this title, and the Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

Post, p. 290.

“(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement projects for high-hazard locations and the effectiveness of such improvements. Each State report shall contain an assessment of the cost of, and safety benefits derived from, the various means and methods used to mitigate or eliminate hazards and the previous and subsequent accident experience at these locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects for improvements at high-hazard locations. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of the spot improvements program.”

Report to Secretary of Transportation.

Report to Congress.

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

“152. Projects for high-hazard locations.”

#### PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

SEC. 210. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

Ante, p. 286.

#### “§ 153. Program for the elimination of roadside obstacles

“(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify roadside obstacles which may constitute a hazard to vehicles and to pedestrians, assign priorities for the correction of such obstacles and establish and implement a schedule of projects for their elimination. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, where appropriate, on all new construction or reconstruction of highways.

Engineering survey.

“(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated, out of the Highway Trust Fund, for the fiscal year ending June 30, 1974, \$25,000,000, and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of \$75,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

Appropriation.

“(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa.

Funds, restriction.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

Report to  
Secretary of  
Transportation.

Report to  
Congress.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program for the removal of roadside obstacles and the effectiveness of such improvements. Each report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in eliminating roadside obstacles and the effectiveness of the improvements made under this program. The Secretary's report shall include, but not be limited to, an analysis and evaluation of each State program, identification of any State found not to be in compliance with the schedule of improvements required by subsection (a) and shall include recommendations for future implementation of the roadside obstacle removal program. In addition, to assess the safety benefits of varying roadside obstacle treatments, the report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles."

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

"153. Program for the elimination of roadside obstacles."

#### HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

SEC. 211. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media for informing and educating the public of ways and means for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

Report to  
Congress.

Appropriation.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of \$1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation, in consultation with State and local highway safety officials, shall develop a series of highway safety television programs of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934. At least 50 per centum of the funds authorized and expended under subsection (d) of this section shall be allocated to the States at the discretion of the Secretary for approved programing projects. To the maximum extent feasible, the services of private individuals shall be utilized in carrying out this subsection.

Appropriation.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of \$4,000,000 out of the Highway Trust Fund.

## CITIZEN PARTICIPATION STUDY

SEC. 212. (a) The Secretary of Transportation, in cooperation with State and local highway safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on traffic enforcement and accident detection, response, and reporting, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies and highway rescue agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

Report to  
Congress.

(b) For the purposes of carrying out this section, there is authorized to be appropriated the sum of \$1,000,000 out of the Highway Trust Fund.

Appropriation.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF  
HIGHWAY OPERATIONS

SEC. 213. (a) The Secretary of Transportation shall make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include, but not be limited to, an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein, the methods to be used for its evaluation and the criteria needed to assure its proper utilization by appropriate public and private agencies and groups. The Secretary shall report to the Congress his findings and recommendations not later than January 1, 1975.

Report to  
Congress.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of \$5,000,000 out of the Highway Trust Fund.

Appropriation.

## PEDESTRIAN AND BICYCLE SAFETY STUDY

SEC. 214. (a) The Secretary of Transportation shall make a full and complete investigation and study of pedestrian and bicycle safety. Such an investigation and study shall include, but not be limited to, the following:

(1) A review and evaluation of State and local ordinances, regulations, and laws and the enforcement policies, procedures, methods, practices, and capabilities for enforcing them.

(2) The relationship between alcohol and pedestrian and bicycle safety, with special emphasis on problem drinkers, both drivers and pedestrians.

(3) An evaluation of ways and means of improving pedestrian and bicycle safety programs.

(4) An analysis of present funding allocations for pedestrian and bicycle safety programs and an assessment of the capabilities of Federal, State, and local governments to fund such activities and programs.

In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States, and their political subdivisions, and other interested private organizations, groups, and individuals.

(b) The Secretary shall, not later than January 31, 1975, report to the Congress the results of this investigation and study together with his conclusions and recommendations for appropriate legislation.

Report to  
Congress.



Appropriation.

(c) There is hereby authorized not to exceed \$5,000,000 from the Highway Trust Fund to carry out this section.

#### MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

80 Stat. 731.

SEC. 215. The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after "approved in accordance with subsection (a)," the following: "including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom. Such funds".

#### PUBLIC ROAD MILEAGE

84 Stat. 1740.

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary."

#### MINIMUM APPORTIONMENT

SEC. 217. Subsection (c) of section 402 of title 23, United States Code, is amended by striking "one-third of 1 per centum" in the fifth sentence thereof, and inserting "one-half of 1 per centum".

#### HIGHWAY SAFETY PROGRAM APPLICABILITY

80 Stat. 731.

"State."

SEC. 218. Section 401, title 23, United States Code, is amended by adding at the end thereof the following: "For the purposes of this chapter, the term 'State' means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriated."

#### INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY PROGRAMS

Ante, p. 285.

SEC. 219. Section 402 of title 23, United States Code, is amended by adding the following new subsection:

Incentive grants.

"(j)(1) In addition to other grants authorized by this section, the Secretary may make incentive grants in each fiscal year to those States which have adopted legislation requiring the use of seatbelts in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed \$25,000,000 for the fiscal year ending June 30, 1974, not to exceed \$32,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$37,500,000 for the fiscal year ending June 30, 1976.

Appropriation.

Additional grants.

"(2) In addition to other grants authorized by this section, the Secretary may make additional incentive grants to those States which have made the most significant progress in reducing traffic fatalities based on the reduction in the rate of such fatalities per one hundred million-vehicle miles during the calendar year immediately preceding the fiscal year for which such incentive funds are authorized compared with the average annual rate of such fatalities for the four calendar

year period preceding such calendar year. Such incentive grants shall be made in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed \$12,500,000 for the fiscal year ending June 30, 1974, not to exceed \$16,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$19,000,000 for the fiscal year ending June 30, 1976.

Appropriation.

“(3) Incentive awards authorized by this section shall not exceed 25 per centum of each State’s apportionment as authorized by this chapter.”

Limitation.

#### HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 220. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: “In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which the Secretary deems will promote the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel.”

Ante, p. 286.

#### TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 221. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

“(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section.”

Ante, p. 290.

#### ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS

SEC. 222. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

Supra.

“(e) In addition to the research authorized by subsection (a) of this section, the Secretary shall, either independently or in cooperation with other Federal departments or agencies, conduct research into, and make grants to or contracts with State or local agencies, institutions, and individuals for projects to demonstrate the administrative adjudication of traffic infractions. Such administrative adjudication demonstration projects shall be designed to improve highway safety by developing fair, efficient, and effective processes and procedures for traffic infraction adjudication, utilizing appropriate punishment, training, and rehabilitative measures for traffic offenders. The Secretary shall report to Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research and demonstration projects authorized by this subsection, and shall include in such report a comparison of the fairness, efficiency, and effectiveness of administrative adjudication of traffic infractions with other methods of handling such infractions.”

Report to Congress.

## NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

81 Stat. 507.

SEC. 223. Subsection (a) (1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

## DATE OF ANNUAL REPORT

23 USC 401  
note.

SEC. 224. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

## HIGHWAY SAFETY NEEDS STUDY

72 Stat. 885.  
23 USC 101 et  
seq.Estimates and  
recommendations,  
submittal to  
Congress.

SEC. 225. In order to provide the basis for evaluating the continuing highway safety programs authorized in title 23, United States Code, and to furnish Congress with the information necessary for the authorization of appropriations for such programs, the Secretary of Transportation, in cooperation with the Governors and appropriate State and local highway officials, shall make a full and complete study of highway safety needs and shall prepare recommendations and estimates of the costs for meeting such needs. Such estimates and recommendations shall identify the requirements to meet highway safety needs of the States, Puerto Rico, and the District of Columbia and would also consider those of Guam, American Samoa, the Virgin Islands and such other United States territories as the Secretary shall determine. The Secretary shall submit such detailed estimates and recommendations to the Congress not later than January 10, 1976.

## DRIVER EDUCATION EVALUATION PROGRAM

Ante, p. 291.

SEC. 226. (a) Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

Report to  
Congress.

"(f) In addition to the research authorized by subsection (a) of this section, the Secretary shall carry out research, development, and demonstration projects to improve and evaluate the effectiveness of various types of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. The research, development, and demonstration projects authorized by this subsection may be carried out by the Secretary through grants and contracts with public and private agencies, institutions, and individuals. The Secretary shall report to the Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research, development, and demonstration projects authorized by this subsection, and shall include in such report an evaluation of the effectiveness of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom."

Appropriation.

(b) For the purpose of carrying out the amendment made by subsection (a) of this section, there is authorized to be appropriated \$10,000,000 out of the Highway Trust Fund.

## TRANSFER OF FUNDS AMONG HIGHWAY SAFETY PROGRAMS

Ante, p. 257.

SEC. 227. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

84 Stat. 1741;  
Ante, pp. 286,  
287, 283.

"(g) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973,

may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met."

#### CURB RAMPS FOR THE HANDICAPPED

SEC. 228. Paragraph (1) of subsection (b) of section 402 of title 23, United States Code, is amended by adding at the end thereof the following:

80 Stat. 731.

"(F) provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State."

#### HIGHWAY SAFETY STANDARDS

SEC. 229. Subsection (h) of section 402 of title 23, United States Code, is amended to read as follows:

84 Stat. 1740.

"(h) Each uniform safety standard promulgated under this section on or before July 1, 1973, shall continue in effect unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973. The Secretary shall not promulgate any other uniform safety standard under this section (including by revision of a standard continued in effect by the preceding sentence) unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973."

#### FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM

SEC. 230. (a) Chapter 4 of title 23, United States Code, is amended by adding at the end thereof the following new section:

80 Stat. 731.  
23 USC 401.

#### § 405. Federal-aid safer roads demonstration program

"(a) The Federal-aid safer roads demonstration program shall consist of all public roads or segments thereof not on a Federal-aid system needing improvements to correct safety hazards selected or designated by each State subject to the approval of the Secretary.

"(b) Not later than June 30, 1974, each State shall identify projects for the Federal-aid safer roads demonstration program for all public roads in such State not on the Federal-aid system, including projects to improve highway marking and signing, to eliminate roadside obstacles, to eliminate hazards at railroad-highway grade crossings, and to correct high-hazard locations, identified by accident reporting, traffic records and hazards analysis systems established in accordance with standards promulgated under subsection (a) of section 402 of this title. Each State shall assign priorities for and undertake the systematic correction of identified hazards, to provide for the most effective improvement in highway safety.

Post, p. 294.

"(c) There is authorized to be appropriated for the Federal-aid safer roads demonstration program for projects on public roads not on the Federal-aid system for the removal of roadside obstacles, the elimination of hazards at railroad-highway grade crossings, and the proper marking and signing of highways in accordance with subsec-

Appropriation.



tion (b) of this section, out of the Highway Trust Fund, \$50,000,000 for the fiscal year ending June 30, 1974, and \$100,000,000 per fiscal year for each of the fiscal years ending June 30, 1975, and June 30, 1976. Such sums shall be apportioned among the States in accordance with the formula established under subsection (c) of section 402 of this title. The Federal share payable on account of any such project shall be 90 per centum of the cost thereof. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure for Federal-aid primary highway funds shall apply to funds apportioned to carry out this subsection. Prior to June 30, 1974, funds shall be available for such projects as determined by the State, subject to the approval of the Secretary.

“(d) For the purposes of this section, the term ‘public road’ means any road under the jurisdiction of and maintained by a public authority and open to public travel and which is not on a Federal-aid system.

“(e) It shall be the responsibility of each State to maintain adequate pavement markings on any public road marked with funds available under this section in such State.

“(f) In any State wherein the State is without legal authority to construct or maintain a project under this section, such State shall enter into a formal agreement for such construction or maintenance with the appropriate local officials of the county or municipality in which such project is located.

“(g) In carrying out the Federal-aid safer roads demonstration program authorized by this section, the Secretary shall coordinate such program with the programs and projects authorized in sections 144, 152, and 153, of this title and section 203(d) of the Highway Safety Act of 1973.

“(h) The Secretary shall file an interim report with the Congress on January 1, 1975, concerning the progress being made under the demonstration program authorized by this section and its effectiveness. The Secretary shall report to Congress on or before January 1, 1976, a comprehensive report on the program authorized by this section. Such reports shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, roads system, means and methods used, and previous and subsequent accident experience at improved locations. In addition such reports shall analyze and evaluate the program State by State, and shall include such recommendations as he determines necessary for the further implementation of this program.”

(b) The table of contents of chapter 4 of title 23, United States Code, is amended by adding at the end thereof:

“405. Federal-aid safer roads demonstration program.”

#### BICYCLE SAFETY

SEC. 231. (a) The fourth sentence of subsection (a) of section 402 of title 23, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof the following: “and bicycle safety.”

(b) Paragraph (b) (1) (E) of section 402 of title 23, United States Code, is amended by striking out “and” before “(5)” and by striking out the period at the end of such paragraph and inserting in lieu thereof a comma and the following: “and (6) driver education programs, including research, that will assure greater safety for bicyclists using public roads in such State.”

*Ante*, p. 290.

84 Stat. 1741;  
*Ante*, pp. 286,  
287.

*Ante*, p. 283.  
Reports to  
Congress.

80 Stat. 731.

## TITLE III

## URBAN MASS TRANSPORTATION ACT OF 1964

SEC. 301. (a) The fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended to read as follows "The Federal grant for any such project to be assisted under section 3 shall be in an amount equal to 80 per centum of the net project cost."

78 Stat. 304.  
49 USC 1603.

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1973.

Limitation.

(c) Section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "\$3,100,000,000" in the first and third sentences and inserting in lieu thereof "\$6,100,000,000".

Appropriation.  
84 Stat. 965.

(d) Section 9 of the Urban Mass Transportation Act of 1964 is amended—

80 Stat. 715.  
49 USC 1607a.

(1) by striking out "to make grants" in the first sentence and inserting in lieu thereof "to contract for and make grants";

(2) by striking out "and designing" in the first sentence and inserting in lieu thereof "designing, and evaluation";

(3) by striking out "and (3)" in the second sentence and inserting in lieu thereof "(3) evaluation of previously funded projects; and (4)";

(4) by inserting "or contract" after "A grant" in the third sentence; and

(5) by striking out all that follows "Secretary" in the third sentence and inserting in lieu thereof a period.

(e) The provision of assistance under the amendments made by this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

80 Stat. 403.  
5 USC 1501.

(f) Section 12 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

"(f) No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Act or carried on under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

Discrimination  
prohibition.  
78 Stat. 306;  
79 Stat. 507;  
80 Stat. 715.  
49 USC 1608.

(g) Section 16(b) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(b) In addition to the grants and loans otherwise provided for under this Act, the Secretary is authorized to make grants and loans—

78 Stat. 252.  
42 USC 2000d.

"(1) to States and local public bodies and agencies thereof for the specific purpose of assisting them in providing mass transportation services which are planned, designed, and carried out so as to meet the special needs of elderly and handicapped persons, with such grants and loans being subject to all of the terms, conditions, requirements, and provisions applicable to grants and loans made under section 3(a) and being considered for the purposes of all other laws to have been made under such section; and

Additional  
grants and loans.  
84 Stat. 967.  
49 USC 1612.

84 Stat. 962.  
49 USC 1602.

"(2) to private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and handicapped persons for whom mass transportation services planned, designed, and carried out under paragraph (1) are unavailable, insufficient, or inappropriate, with such grants and loans being subject to such terms, conditions, requirements, and provisions (similar insofar as may be appropriate to those applicable to grants and loans under paragraph (1)) as the Secretary may determine to be necessary or appropriate for purposes of this paragraph.

Of the total amount of the obligations which the Secretary is authorized to incur on behalf of the United States under the first sentence of section 4(c), 2 per centum may be set aside and used exclusively to finance the programs and activities authorized by this subsection (including administrative costs)."

*Ante*, p. 295.

## TITLE IV

### INAPPLICABILITY OF TIME REQUIREMENTS

SEC. 401. The time requirements in section 104(b) of title 23, United States Code, shall not be applicable to the apportionment of sums authorized for the fiscal year ending June 30, 1974, in any title of this Act, and the Secretary shall apportion such sums for such fiscal year as soon as practicable after the date of enactment of this Act.

*Ante*, p. 256.

### CONFORMING ADJUSTMENTS

SEC. 402. All sums authorized in Public Law 93-61 are included within the authorizations contained in this Act for the fiscal year ending June 30, 1974, and the Secretary shall make such adjustments in apportionments made under Public Law 93-61 as may be necessary to conform such apportionments to this Act.

*Ante*, p. 145.

Approved August 13, 1973.

## Public Law 93-88

### AN ACT

To amend the EURATOM Cooperation Act of 1958, as amended.

August 14, 1973  
[S. 1993]

EURATOM Co-  
operation Act of  
1958, amendment.  
81 Stat. 578.  
42 USC 2294.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 5 of the EURATOM Cooperation Act of 1958, as amended, is amended by deleting the words "two hundred fifteen thousand kilograms of contained uranium 235" and substituting therefor the words "an amount of contained uranium 235 which does not exceed that necessary to support the fuel cycle of power reactors located within the Community having a total installed capacity of thirty-five thousand megawatts of electric energy, together with twenty-five thousand kilograms of contained uranium 235 for other purposes".

Approved August 14, 1973.