

business of the advisory committee or a subordinate committee, travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

“(f) SUBORDINATE COMMITTEES.—The Secretary shall establish a subordinate committee to the advisory committee to provide advice on advanced highway vehicle technology research and development, and may establish other subordinate committees to provide advice on specific areas of surface transportation research and development. Such subordinate committees shall be subject to subsections (e), (g), and (i) of this section.

“(g) ASSISTANCE OF SECRETARY.—Upon request of the advisory committee, the Secretary shall provide such information, administrative services, support staff, and supplies as the Secretary determines to be necessary for the advisory committee to carry out its functions.

“(h) REPORTS.—The advisory committee shall, within 1 year after the date of establishment of the advisory committee, and annually thereafter, submit to the Congress a report summarizing its activities under this section.

“(i) TERMINATION.—Section 14 of the Federal Advisory Committee Act [5 U.S.C. App.] shall not apply to the advisory committee established under this section.”

FUNDAMENTAL PROPERTIES OF ASPHALTS AND MODIFIED ASPHALTS

Pub. L. 102-240, title VI, §6016, Dec. 18, 1991, 105 Stat. 2182, as amended by Pub. L. 114-94, div. A, title I, §1419(a), Dec. 4, 2015, 129 Stat. 1423, required the Administrator of the Federal Highway Administration to conduct studies of the fundamental chemical and physical properties of petroleum asphalts and modified asphalts used in highway construction in the United States and to submit reports on the progress of the studies and authorized appropriations for fiscal years 1992 to 1996.

STUDY OF FACTORS AFFECTING SAFE AND EFFICIENT OPERATION OF BRIDGES, TUNNELS AND ROADS WITHIN UNITED STATES

Pub. L. 95-599, title I, §166, Nov. 6, 1978, 92 Stat. 2722, provided that: “The Secretary of Transportation shall make a full and complete investigation and study of all those factors affecting the safe and efficient operation of bridges, tunnels, and roads within the United States, including, but not limited to, structural, operational, environmental, and civil disturbance factors.”

§ 503. Research and technology development and deployment

(a) IN GENERAL.—The Secretary shall—

(1) carry out research, development, and deployment activities that encompass the entire innovation lifecycle; and

(2) ensure that all research carried out under this section aligns with the transportation research and development strategic plan of the Secretary under section 508.¹

(b) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—

(1) OBJECTIVES.—In carrying out the highway research and development program, the Secretary, to address current and emerging highway transportation needs, shall—

(A) identify research topics;

(B) coordinate research and development activities;

(C) carry out research, testing, and evaluation activities; and

(D) provide technology transfer and technical assistance.

(2) IMPROVING HIGHWAY SAFETY.—

(A) IN GENERAL.—The Secretary shall carry out research and development activities from an integrated perspective to establish and implement systematic measures to improve highway safety.

(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities—

(i) to achieve greater long-term safety gains;

(ii) to reduce the number of fatalities and serious injuries on public roads;

(iii) to fill knowledge gaps that limit the effectiveness of research;

(iv) to support the development and implementation of State strategic highway safety plans;

(v) to advance improvements in, and use of, performance prediction analysis for decisionmaking; and

(vi) to expand technology transfer to partners and stakeholders.

(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

(i) safety assessments and decision-making tools;

(ii) data collection and analysis;

(iii) crash reduction projections;

(iv) low-cost safety countermeasures;

(v) innovative operational improvements and designs of roadway and roadside features;

(vi) evaluation of countermeasure costs and benefits;

(vii) development of tools for projecting impacts of safety countermeasures;

(viii) rural road safety measures;

(ix) safety measures for vulnerable road users, including bicyclists and pedestrians;

(x) safety policy studies;

(xi) human factors studies and measures;

(xii) safety technology deployment;

(xiii) safety workforce professional capacity building initiatives;

(xiv) safety program and process improvements; and

(xv) tools and methods to enhance safety performance, including achievement of statewide safety performance targets.

(3) IMPROVING INFRASTRUCTURE INTEGRITY.—

(A) IN GENERAL.—The Secretary shall carry out and facilitate highway and bridge infrastructure research and development activities—

(i) to maintain infrastructure integrity;

(ii) to meet user needs; and

(iii) to link Federal transportation investments to improvements in system performance.

(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities—

(i) to reduce the number of fatalities attributable to infrastructure design characteristics and work zones;

(ii) to improve the safety and security of highway infrastructure;

(iii) to increase the reliability of lifecycle performance predictions used in

¹ See References in Text note below.

infrastructure design, construction, and management;

(iv) to improve the ability of transportation agencies to deliver projects that meet expectations for timeliness, quality, and cost;

(v) to reduce user delay attributable to infrastructure system performance, maintenance, rehabilitation, and construction;

(vi) to improve highway condition and performance through increased use of design, materials, construction, and maintenance innovations;

(vii) to reduce the environmental impacts of highway infrastructure through innovations in design, construction, operation, preservation, and maintenance; and

(viii) to study vulnerabilities of the transportation system to seismic activities and extreme events and methods to reduce those vulnerabilities.

(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

(i) long-term infrastructure performance programs addressing pavements, bridges, tunnels, and other structures;

(ii) short-term and accelerated studies of infrastructure performance;

(iii) research to develop more durable infrastructure materials and systems;

(iv) advanced infrastructure design methods;

(v) accelerated highway and bridge construction;

(vi) performance-based specifications;

(vii) construction and materials quality assurance;

(viii) comprehensive and integrated infrastructure asset management;

(ix) infrastructure safety assurance;

(x) sustainable infrastructure design and construction;

(xi) infrastructure rehabilitation and preservation techniques, including techniques to rehabilitate and preserve historic infrastructure;

(xii) hydraulic, geotechnical, and aerodynamic aspects of infrastructure;

(xiii) improved highway construction technologies and practices;

(xiv) improved tools, technologies, and models for infrastructure management, including assessment and monitoring of infrastructure condition;

(xv) studies to improve flexibility and resiliency of infrastructure systems to withstand climate variability;

(xvi) studies on the effectiveness of fiber-based additives to improve the durability of surface transportation materials in various geographic regions;

(xvii) studies of infrastructure resilience and other adaptation measures;

(xviii) maintenance of seismic research activities, including research carried out in conjunction with other Federal agencies to study the vulnerability of the transportation system to seismic activity and methods to reduce that vulnerability; and

(xix) technology transfer and adoption of permeable, pervious, or porous paving ma-

terials, practices, and systems that are designed to minimize environmental impacts, stormwater runoff, and flooding and to treat or remove pollutants by allowing stormwater to infiltrate through the pavement in a manner similar to pre-development hydrologic conditions.

(D) LIFECYCLE COSTS ANALYSIS STUDY.—

(i) IN GENERAL.—In this subparagraph, the term “lifecycle costs analysis” means a process for evaluating the total economic worth of a usable project segment by analyzing initial costs and discounted future costs, such as maintenance, user, reconstruction, rehabilitation, restoring, and resurfacing costs, over the life of the project segment.

(ii) STUDY.—The Comptroller General shall conduct a study of the best practices for calculating lifecycle costs and benefits for federally funded highway projects, which shall include, at a minimum, a thorough literature review and a survey of current lifecycle cost practices of State departments of transportation.

(iii) CONSULTATION.—In carrying out the study, the Comptroller shall consult with, at a minimum—

(I) the American Association of State Highway and Transportation Officials;

(II) appropriate experts in the field of lifecycle cost analysis; and

(III) appropriate industry experts and research centers.

(E) REPORT.—Not later than 1 year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives a report on the results of the study which shall include—

(i) a summary of the latest research on lifecycle cost analysis; and

(ii) recommendations on the appropriate—

(I) period of analysis;

(II) design period;

(III) discount rates; and

(IV) use of actual material life and maintenance cost data.

(4) STRENGTHENING TRANSPORTATION PLANNING AND ENVIRONMENTAL DECISIONMAKING.—

(A) IN GENERAL.—The Secretary may carry out research—

(i) to minimize the cost of transportation planning and environmental decisionmaking processes;

(ii) to improve transportation planning and environmental decisionmaking processes; and

(iii) to minimize the potential impact of surface transportation on the environment.

(B) OBJECTIVES.—In carrying out this paragraph the Secretary may carry out research and development activities—

- (i) to minimize the cost of highway infrastructure and operations;
- (ii) to reduce the potential impact of highway infrastructure and operations on the environment;
- (iii) to advance improvements in environmental analyses and processes and context sensitive solutions for transportation decisionmaking;
- (iv) to improve construction techniques;
- (v) to accelerate construction to reduce congestion and related emissions;
- (vi) to reduce the impact of highway run-off on the environment;
- (vii) to improve understanding and modeling of the factors that contribute to the demand for transportation; and
- (viii) to improve transportation planning decisionmaking and coordination.

(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

- (i) creation of models and tools for evaluating transportation measures and transportation system designs, including the costs and benefits;
- (ii) congestion reduction efforts;
- (iii) transportation and economic development planning in rural areas and small communities;
- (iv) improvement of State, local, and tribal government capabilities relating to surface transportation planning and the environment; and
- (v) streamlining of project delivery processes.

(5) REDUCING CONGESTION, IMPROVING HIGHWAY OPERATIONS, AND ENHANCING FREIGHT PRODUCTIVITY.—

(A) IN GENERAL.—The Secretary shall carry out research under this paragraph with the goals of—

- (i) addressing congestion problems;
- (ii) reducing the costs of congestion;
- (iii) improving freight movement;
- (iv) increasing productivity; and
- (v) improving the economic competitiveness of the United States.

(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities to identify, develop, and assess innovations that have the potential—

- (i) to reduce traffic congestion;
- (ii) to improve freight movement; and
- (iii) to reduce freight-related congestion throughout the transportation network.

(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

- (i) active traffic and demand management;
- (ii) acceleration of the implementation of Intelligent Transportation Systems technology;
- (iii) advanced transportation concepts and analysis;
- (iv) arterial management and traffic signal operation;

- (v) congestion pricing;
- (vi) corridor management;
- (vii) emergency operations;
- (viii) research relating to enabling technologies and applications;
- (ix) freeway management;
- (x) evaluation of enabling technologies;
- (xi) impacts of vehicle size and weight on congestion;
- (xii) freight operations and technology;
- (xiii) operations and freight performance measurement and management;
- (xiv) organization and planning for operations;
- (xv) planned special events management;
- (xvi) real-time transportation information;
- (xvii) road weather management;
- (xviii) traffic and freight data and analysis tools;
- (xix) traffic control devices;
- (xx) traffic incident management;
- (xxi) work zone management;
- (xxii) communication of travel, roadway, and emergency information to persons with disabilities;
- (xxiii) research on enhanced mode choice and intermodal connectivity;
- (xxiv) techniques for estimating and quantifying public benefits derived from freight transportation projects; and
- (xxv) other research areas to identify and address emerging needs related to freight transportation by all modes.

(6) EXPLORATORY ADVANCED RESEARCH.—The Secretary shall carry out research and development activities relating to exploratory advanced research—

(A) to leverage the targeted capabilities of the Turner-Fairbank Highway Research Center to develop technologies and innovations of national importance; and

(B) to develop potentially transformational solutions to improve the durability, efficiency, environmental impact, productivity, and safety aspects of highway and intermodal transportation systems.

(7) TURNER-FAIRBANK HIGHWAY RESEARCH CENTER.—

(A) IN GENERAL.—The Secretary shall continue to operate in the Federal Highway Administration a Turner-Fairbank Highway Research Center.

(B) USES OF THE CENTER.—The Turner-Fairbank Highway Research Center shall support—

- (i) the conduct of highway research and development relating to emerging highway technology;
- (ii) the development of understandings, tools, and techniques that provide solutions to complex technical problems through the development of economical and environmentally sensitive designs, efficient and quality-controlled construction practices, and durable materials;
- (iii) the development of innovative highway products and practices; and
- (iv) the conduct of long-term, high-risk research to improve the materials used in highway infrastructure.

(8) INFRASTRUCTURE INVESTMENT NEEDS REPORT.—

(A) IN GENERAL.—Not later than July 31, 2013, and July 31 of every second year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes estimates of the future highway and bridge needs of the United States and the backlog of current highway and bridge needs.

(B) COMPARISONS.—Each report under subparagraph (A) shall include all information necessary to relate and compare the conditions and service measures used in the previous biennial reports to conditions and service measures used in the current report.

(C) INCLUSIONS.—Each report under subparagraph (A) shall provide recommendations to Congress on changes to the highway performance monitoring system that address—

(i) improvements to the quality and standardization of data collection on all functional classifications of Federal-aid highways for accurate system length, lane length, and vehicle-mile of travel; and

(ii) changes to the reporting requirements authorized under section 315, to reflect recommendations under this paragraph for collection, storage, analysis, reporting, and display of data for Federal-aid highways and, to the maximum extent practical, all public roads.

(c) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a technology and innovation deployment program relating to all aspects of highway transportation, including planning, financing, operation, structures, materials, pavements, environment, construction, and the duration of time between project planning and project delivery, with the goals of—

(A) significantly accelerating the adoption of innovative technologies by the surface transportation community;

(B) providing leadership and incentives to demonstrate and promote state-of-the-art technologies, elevated performance standards, and new business practices in highway construction processes that result in improved safety, faster construction, reduced congestion from construction, and improved quality and user satisfaction;

(C) constructing longer-lasting highways through the use of innovative technologies and practices that lead to faster construction of efficient and safe highways and bridges;

(D) improving highway efficiency, safety, mobility, reliability, service life, environmental protection, and sustainability; and

(E) developing and deploying new tools, techniques, and practices to accelerate the adoption of innovation in all aspects of highway transportation.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall promote, facilitate, and carry out the program established under paragraph (1) to distribute the products, technologies, tools, methods, or other findings that result from highway research and development activities, including research and development activities carried out under this chapter.

(B) ACCELERATED INNOVATION DEPLOYMENT.—In carrying out the program established under paragraph (1), the Secretary shall—

(i) establish and carry out demonstration programs;

(ii) provide technical assistance, and training to researchers and developers; and

(iii) develop improved tools and methods to accelerate the adoption of proven innovative practices and technologies as standard practices.

(C) IMPLEMENTATION OF FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM FINDINGS AND RESULTS.—

(i) IN GENERAL.—The Secretary, in consultation with the American Association of State Highway and Transportation Officials and the Transportation Research Board of the National Academy of Sciences, shall promote research results and products developed under the future strategic highway research program administered by the Transportation Research Board of the National Academy of Sciences.

(ii) BASIS FOR FINDINGS.—The activities carried out under this subparagraph shall be based on the report submitted to Congress by the Transportation Research Board of the National Academy of Sciences under section 510(e).

(iii) PERSONNEL.—The Secretary may use funds made available to carry out this subsection for administrative costs under this subparagraph.

(3) ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF PAVEMENT TECHNOLOGIES.—

(A) IN GENERAL.—The Secretary shall establish and implement a program under the technology and innovation deployment program to promote, implement, deploy, demonstrate, showcase, support, and document the application of innovative pavement technologies, practices, performance, and benefits.

(B) GOALS.—The goals of the accelerated implementation and deployment of pavement technologies program shall include—

(i) the deployment of new, cost-effective designs, materials, recycled materials, and practices to extend the pavement life and performance and to improve user satisfaction;

(ii) the reduction of initial costs and lifecycle costs of pavements, including the costs of new construction, replacement, maintenance, and rehabilitation;

(iii) the deployment of accelerated construction techniques to increase safety and reduce construction time and traffic disruption and congestion;

(iv) the deployment of engineering design criteria and specifications for new and efficient practices, products, and materials for use in highway pavements;

(v) the deployment of new non-destructive and real-time pavement evaluation technologies and construction techniques; and

(vi) effective technology transfer and information dissemination to accelerate implementation of new technologies and to improve life, performance, cost effectiveness, safety, and user satisfaction.

(C) FUNDING.—The Secretary shall obligate for each of fiscal years 2016 through 2020 from funds made available to carry out this subsection \$12,000,000 to accelerate the deployment and implementation of pavement technology.

(D) PUBLICATION.—

(i) IN GENERAL.—Not less frequently than annually, the Secretary shall issue and make available to the public on an Internet website a report on the cost and benefits from deployment of new technology and innovations that substantially and directly resulted from the program established under this paragraph.

(ii) INCLUSIONS.—The report under clause

(i) may include an analysis of—

- (I) Federal, State, and local cost savings;
- (II) project delivery time improvements;
- (III) reduced fatalities; and
- (IV) congestion impacts.

(4) ADVANCED TRANSPORTATION TECHNOLOGIES DEPLOYMENT.—

(A) IN GENERAL.—Not later than 6 months after the date of enactment of this paragraph, the Secretary shall establish an advanced transportation and congestion management technologies deployment initiative to provide grants to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.

(B) CRITERIA.—The Secretary shall develop criteria for selection of an eligible entity to receive a grant under this paragraph, including how the deployment of technology will—

(i) reduce costs and improve return on investments, including through the enhanced use of existing transportation capacity;

(ii) deliver environmental benefits that alleviate congestion and streamline traffic flow;

(iii) measure and improve the operational performance of the applicable transportation network;

(iv) reduce the number and severity of traffic crashes and increase driver, passenger, and pedestrian safety;

(v) collect, disseminate, and use real-time traffic, transit, parking, and other transportation-related information to improve mobility, reduce congestion, and

provide for more efficient and accessible transportation;

(vi) monitor transportation assets to improve infrastructure management, reduce maintenance costs, prioritize investment decisions, and ensure a state of good repair;

(vii) deliver economic benefits by reducing delays, improving system performance, and providing for the efficient and reliable movement of goods and services; or

(viii) accelerate the deployment of vehicle-to-vehicle, vehicle-to-infrastructure, autonomous vehicles, and other technologies.

(C) APPLICATIONS.—

(i) REQUEST.—Not later than 6 months after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall request applications in accordance with clause (ii).

(ii) CONTENTS.—An application submitted under this subparagraph shall include the following:

(I) PLAN.—A plan to deploy and provide for the long-term operation and maintenance of advanced transportation and congestion management technologies to improve safety, efficiency, system performance, and return on investment.

(II) OBJECTIVES.—Quantifiable system performance improvements, such as—

(aa) reducing traffic-related crashes, congestion, and costs;

(bb) optimizing system efficiency; and

(cc) improving access to transportation services.

(III) RESULTS.—Quantifiable safety, mobility, and environmental benefit projections such as data-driven estimates of how the project will improve the region's transportation system efficiency and reduce traffic congestion.

(IV) PARTNERSHIPS.—A plan for partnering with the private sector or public agencies, including multimodal and multijurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.

(V) LEVERAGING.—A plan to leverage and optimize existing local and regional advanced transportation technology investments.

(D) GRANT SELECTION.—

(i) GRANT AWARDS.—Not later than 1 year after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall award grants to not less than 5 and not more than 10 eligible entities.

(ii) GEOGRAPHIC DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse geographic areas of the United States, including urban and rural areas.

(iii) TECHNOLOGY DIVERSITY.—In awarding a grant under this paragraph, the Sec-

retary shall ensure, to the extent practicable, that grant recipients represent diverse technology solutions.

(E) **USE OF GRANT FUNDS.**—A grant recipient may use funds awarded under this paragraph to deploy advanced transportation and congestion management technologies, including—

- (i) advanced traveler information systems;
- (ii) advanced transportation management technologies;
- (iii) infrastructure maintenance, monitoring, and condition assessment;
- (iv) advanced public transportation systems;
- (v) transportation system performance data collection, analysis, and dissemination systems;
- (vi) advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with autonomous vehicles, and other collision avoidance technologies, including systems using cellular technology;
- (vii) integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;
- (viii) electronic pricing and payment systems; or
- (ix) advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals.

(F) **REPORT TO SECRETARY.**—For each eligible entity that receives a grant under this paragraph, not later than 1 year after the entity receives the grant, and each year thereafter, the entity shall submit a report to the Secretary that describes—

- (i) deployment and operational costs of the project compared to the benefits and savings the project provides; and
- (ii) how the project has met the original expectations projected in the deployment plan submitted with the application, such as—
 - (I) data on how the project has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;
 - (II) data on the effect of measuring and improving transportation system performance through the deployment of advanced technologies;
 - (III) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public to make informed travel decisions; and
 - (IV) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

(G) **REPORT.**—Not later than 3 years after the date that the first grant is awarded under this paragraph, and each year thereafter, the Secretary shall make available to

the public on an Internet website a report that describes the effectiveness of grant recipients in meeting their projected deployment plans, including data provided under subparagraph (F) on how the program has—

- (i) reduced traffic-related fatalities and injuries;
- (ii) reduced traffic congestion and improved travel time reliability;
- (iii) reduced transportation-related emissions;
- (iv) optimized multimodal system performance;
- (v) improved access to transportation alternatives;
- (vi) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;
- (vii) provided cost savings to transportation agencies, businesses, and the traveling public; or
- (viii) provided other benefits to transportation users and the general public.

(H) **ADDITIONAL GRANTS.**—The Secretary may cease to provide additional grant funds to a recipient of a grant under this paragraph if—

- (i) the Secretary determines from such recipient's report that the recipient is not carrying out the requirements of the grant; and
- (ii) the Secretary provides written notice 60 days prior to withholding funds to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate.

(I) **FUNDING.**—

(i) **IN GENERAL.**—From funds made available to carry out subsection (b), this subsection, and sections 512 through 518, the Secretary shall set aside for grants awarded under subparagraph (D) \$60,000,000 for each of fiscal years 2016 through 2020.

(ii) **EXPENSES FOR THE SECRETARY.**—Of the amounts set aside under clause (i), the Secretary may set aside \$2,000,000 each fiscal year for program reporting, evaluation, and administrative costs related to this paragraph.

(J) **FEDERAL SHARE.**—The Federal share of the cost of a project for which a grant is awarded under this subsection shall not exceed 50 percent of the cost of the project.

(K) **GRANT LIMITATION.**—The Secretary may not award more than 20 percent of the amount described under subparagraph (I) in a fiscal year to a single grant recipient.

(L) **EXPENSES FOR GRANT RECIPIENTS.**—A grant recipient under this paragraph may use not more than 5 percent of the funds awarded each fiscal year to carry out planning and reporting requirements.

(M) **GRANT FLEXIBILITY.**—

(i) **IN GENERAL.**—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications

that meet the requirements described in subparagraph (C) to carry out this section for a fiscal year, the Secretary shall transfer to the programs specified in clause (ii)—

(I) any of the funds reserved for the fiscal year under subparagraph (I) that the Secretary has not yet awarded under this paragraph; and

(II) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under subclause (I).

(ii) PROGRAMS.—The programs referred to in clause (i) are—

(I) the program under subsection (b);

(II) the program under this subsection; and

(III) the programs under sections 512 through 518.

(iii) DISTRIBUTION.—Any transfer of funds and obligation limitation under clause (i) shall be divided among the programs referred to in that clause in the same proportions as the Secretary originally reserved funding from the programs for the fiscal year under subparagraph (I).

(N) DEFINITIONS.—In this paragraph, the following definitions apply:

(i) ELIGIBLE ENTITY.—The term “eligible entity” means a State or local government, a transit agency, metropolitan planning organization representing a population of over 200,000, or other political subdivision of a State or local government or a multijurisdictional group or a consortium of research institutions or academic institutions.

(ii) ADVANCED AND CONGESTION MANAGEMENT TRANSPORTATION TECHNOLOGIES.—The term “advanced transportation and congestion management technologies” means technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, including intelligent transportation systems.

(iii) MULTIJURISDICTIONAL GROUP.—The term “multijurisdictional group” means a any² combination of State governments, local governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State for which each member of the group—

(I) has signed a written agreement to implement the advanced transportation technologies deployment initiative across jurisdictional boundaries; and

(II) is an eligible entity under this paragraph.

(Added Pub. L. 105–178, title V, §5103, June 9, 1998, 112 Stat. 427; amended Pub. L. 109–59, title V, §§ 5202(b)(1), (2), 5203(a), (b)(1), (c)(1), (d), Aug. 10, 2005, 119 Stat. 1786–1789; Pub. L. 112–141, div. E, title II, §5203(a), July 6, 2012, 126 Stat. 872; Pub. L. 114–94, div. A, title VI, §§6003, 6004, Dec. 4, 2015, 129 Stat. 1562.)

² So in original.

REFERENCES IN TEXT

Section 508, referred to in subsec. (a)(2), was repealed by Pub. L. 114–94, div. A, title VI, §6019(d)(1)(A), Dec. 4, 2015, 129 Stat. 1581, effective Oct. 1, 2015.

The date of enactment of the Transportation Research and Innovative Technology Act of 2012, referred to in subsec. (b)(3)(E), is the date of enactment of div. E of Pub. L. 112–141, which was approved July 6, 2012.

The date of enactment of this paragraph, referred to in subsec. (c)(4)(A), (C)(i), (D)(i), is the date of enactment of Pub. L. 114–94, which was approved Dec. 4, 2015.

PRIOR PROVISIONS

A prior section 503, added Pub. L. 90–495, §30, Aug. 23, 1968, 82 Stat. 831, related to administration of highway relocation assistance program, prior to repeal by Pub. L. 91–646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

AMENDMENTS

2015—Subsec. (c)(3)(C). Pub. L. 114–94, §6003(1), substituted “2016 through 2020” for “2013 through 2014”.

Subsec. (c)(3)(D). Pub. L. 114–94, §6003(2), added subpar. (D).

Subsec. (c)(4). Pub. L. 114–94, §6004, added par. (4).

2012—Pub. L. 112–141 amended section generally. Prior to amendment, section related to technology deployment.

2005—Subsec. (a). Pub. L. 109–59, §5203(a)(1), struck out “INITIATIVES AND PARTNERSHIPS” before “PROGRAM” in heading.

Subsec. (a)(1). Pub. L. 109–59, §5203(a)(2), added par. (1) and struck out heading and text of former par. (1). Text read as follows: “The Secretary shall develop and administer a national technology deployment initiatives and partnerships program.”

Subsec. (a)(7). Pub. L. 109–59, §5203(a)(3), added par. (7) and struck out heading and text of former par. (7). Text read as follows: “Under the program, the Secretary may make grants and enter into cooperative agreements and contracts to foster alliances and support efforts to stimulate advances in transportation technology, including—

“(A) the testing and evaluation of products of the strategic highway research program;

“(B) the further development and implementation of technology in areas such as the Superpave system and the use of lithium salts and other alternatives to prevent and mitigate alkali silica reactivity;

“(C) the provision of support for long-term pavement performance product implementation and technology access; and

“(D) other activities to achieve the goals established under paragraph (3).”

Subsec. (a)(8). Pub. L. 109–59, §5203(a)(4), added par. (8) and struck out heading and text of former par. (8). Text read as follows: “Not later than 18 months after the date of enactment of this section, and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress and results of activities carried out under this section.”

Subsec. (b)(1). Pub. L. 109–59, §5202(b)(1), reenacted heading without change and amended text of par. (1) generally. Prior to amendment, text read as follows: “The Secretary shall establish and carry out a program to demonstrate the application of innovative material technology in the construction of bridges and other structures.”

Subsec. (b)(2). Pub. L. 109–59, §5202(b)(2), reenacted heading without change and amended text of par. (2) generally. Prior to amendment, text read as follows: “The goals of the program shall include—

“(A) the development of new, cost-effective innovative material highway bridge applications;

“(B) the reduction of maintenance costs and life-cycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

“(C) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

“(D) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

“(E) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

“(F) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

“(G) the development of new nondestructive bridge evaluation technologies and techniques.”

Subsec. (c). Pub. L. 109-59, § 5203(b)(1), added subsec. (c).

Subsec. (d). Pub. L. 109-59, § 5203(c)(1), added subsec. (d).

Subsec. (e). Pub. L. 109-59, § 5203(d), added subsec. (e).

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES

Pub. L. 114-94, div. A, title VI, § 6020, Dec. 4, 2015, 129 Stat. 1582, provided that:

“(a) IN GENERAL.—The Secretary [of Transportation] shall establish a program to provide grants to States to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

“(b) APPLICATION.—To be eligible for a grant under this section, a State or group of States shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

“(c) OBJECTIVES.—The Secretary shall ensure that the activities carried out using funds provided under this section meet the following objectives:

“(1) To test the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms.

“(2) To improve the functionality of such user-based alternative revenue mechanisms.

“(3) To conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and to provide information on possible approaches.

“(4) To provide recommendations regarding adoption and implementation of user-based alternative revenue mechanisms.

“(5) To minimize the administrative cost of any potential user-based alternative revenue mechanisms.

“(d) USE OF FUNDS.—A State or group of States receiving funds under this section to test the design, acceptance, and implementation of a user-based alternative revenue mechanism—

“(1) shall address—

“(A) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of the user-based alternative revenue mechanism;

“(B) the protection of personal privacy;

“(C) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

“(D) market-based congestion mitigation, if appropriate;

“(E) equity concerns, including the impacts of the user-based alternative revenue mechanism on dif-

fering income groups, various geographic areas, and the relative burdens on rural and urban drivers;

“(F) ease of compliance for different users of the transportation system; and

“(G) the reliability and security of technology used to implement the user-based alternative revenue mechanism; and

“(2) may address—

“(A) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

“(B) the cost of administering the user-based alternative revenue mechanism; and

“(C) the ability of the administering entity to audit and enforce user compliance.

“(e) CONSIDERATION.—The Secretary shall consider geographic diversity in awarding grants under this section.

“(f) LIMITATIONS ON REVENUE COLLECTED.—Any revenue collected through a user-based alternative revenue mechanism established using funds provided under this section shall not be considered a toll under section 301 of title 23, United States Code.

“(g) FEDERAL SHARE.—The Federal share of the cost of an activity carried out under this section may not exceed 50 percent of the total cost of the activity.

“(h) REPORT TO SECRETARY.—Not later than 1 year after the date on which the first eligible entity receives a grant under this section, and each year thereafter, each recipient of a grant under this section shall submit to the Secretary a report that describes—

“(1) how the demonstration activities carried out with grant funds meet the objectives described in subsection (c); and

“(2) lessons learned for future deployment of alternative revenue mechanisms that utilize a user fee structure.

“(i) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act [Dec. 4, 2015], and every 2 years thereafter until the completion of the demonstration activities under this section, the Secretary shall make available to the public on an Internet website a report describing the progress of the demonstration activities.

“(j) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

“(1) \$15,000,000 shall be used to carry out this section for fiscal year 2016; and

“(2) \$20,000,000 shall be used to carry out this section for each of fiscal years 2017 through 2020.

“(k) GRANT FLEXIBILITY.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements of this section for a fiscal year, [the] Secretary shall transfer to the program under section 503(b) of title 23, United States Code—

“(1) any of the funds reserved for the fiscal year under subsection (j) that the Secretary has not yet awarded under this section; and

“(2) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under paragraph (1).”

HIGH PERFORMING STEEL BRIDGE RESEARCH AND TECHNOLOGY TRANSFER

Pub. L. 109-59, title V, § 5202(c), Aug. 10, 2005, 119 Stat. 1786, provided that:

“(1) IN GENERAL.—The Secretary [of Transportation] shall carry out a program to demonstrate the application of high-performing steel in the construction and rehabilitation of bridges.

“(2) FUNDING.—Of the amounts made available by section 5101(a)(1) of this Act [119 Stat. 1779], \$4,100,000 for each of fiscal years 2006 through 2009 shall be available to carry out this subsection.”

STEEL BRIDGE TESTING

Pub. L. 109-59, title V, § 5202(d), Aug. 10, 2005, 119 Stat. 1787, provided that:

“(1) IN GENERAL.—The Secretary [of Transportation] shall carry out a program to test steel bridges using a nondestructive technology that is able to detect growing cracks, including subsurface flaws as small as 0.010 inches in length or depth, in the bridges.

“(2) FUNDING.—Of the amounts made available by section 5101(a)(1) of this Act [119 Stat. 1779], \$1,250,000 for each of fiscal years 2006 through 2009 shall be available to carry out this subsection.

“(3) FEDERAL SHARE.—The Federal share of the cost of activities carried out in accordance with this subsection shall be 80 percent.”

§ 504. Training and education

(a) NATIONAL HIGHWAY INSTITUTE.—

(1) IN GENERAL.—The Secretary shall operate in the Federal Highway Administration a National Highway Institute (in this subsection referred to as the “Institute”). The Secretary shall administer, through the Institute, the authority vested in the Secretary by this title or by any other law for the development and conduct of education and training programs relating to highways.

(2) DUTIES OF THE INSTITUTE.—In cooperation with State transportation departments, United States industry, and any national or international entity, the Institute shall develop and administer education and training programs of instruction for—

(A) Federal Highway Administration, State, and local transportation agency employees and the employees of any other applicable Federal agency;

(B) regional, State, and metropolitan planning organizations;

(C) State and local police, public safety, and motor vehicle employees; and

(D) United States citizens and foreign nationals engaged or to be engaged in surface transportation work of interest to the United States.

(3) COURSES.—

(A) IN GENERAL.—The Institute shall—

(i) develop or update existing courses in asset management, including courses that include such components as—

(I) the determination of life-cycle costs;

(II) the valuation of assets;

(III) benefit-to-cost ratio calculations; and

(IV) objective decisionmaking processes for project selection; and

(ii) continually develop courses relating to the application of emerging technologies for—

(I) transportation infrastructure applications and asset management;

(II) intelligent transportation systems;

(III) operations (including security operations);

(IV) the collection and archiving of data;

(V) reducing the amount of time required for the planning and development of transportation projects; and

(VI) the intermodal movement of individuals and freight.

(B) ADDITIONAL COURSES.—In addition to the courses developed under subparagraph

(A), the Institute, in consultation with State transportation departments, metropolitan planning organizations, and the American Association of State Highway and Transportation Officials, may develop courses relating to technology, methods, techniques, engineering, construction, safety, maintenance, environmental mitigation and compliance, regulations, management, inspection, and finance.

(C) REVISION OF COURSES OFFERED.—The Institute shall periodically—

(i) review the course inventory of the Institute; and

(ii) revise or cease to offer courses based on course content, applicability, and need.

(4) SET-ASIDE; FEDERAL SHARE.—Not to exceed $\frac{1}{2}$ of 1 percent of the funds apportioned to a State under section 104(b)(2) for the surface transportation block grant program shall be available for expenditure by the State transportation department for the payment of not to exceed 80 percent of the cost of tuition and direct educational expenses (excluding salaries) in connection with the education and training of employees of State and local transportation agencies in accordance with this subsection.

(5) FEDERAL RESPONSIBILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), education and training of employees of Federal, State, and local transportation (including highway) agencies authorized under this subsection may be provided—

(i) by the Secretary at no cost to the States and local governments if the Secretary determines that provision at no cost is in the public interest; or

(ii) by the State through grants, cooperative agreements, and contracts with public and private agencies, institutions, individuals, and the Institute.

(B) PAYMENT OF FULL COST BY PRIVATE PERSONS.—Private agencies, international or foreign entities, and individuals shall pay the full cost of any education and training received by them unless the Secretary determines that a lower cost is of critical importance to the public interest.

(6) TRAINING FELLOWSHIPS; COOPERATION.—The Institute may—

(A) engage in training activities authorized under this subsection, including the granting of training fellowships; and

(B) carry out its authority independently or in cooperation with any other branch of the Federal Government or any State agency, authority, association, institution, for-profit or nonprofit corporation, other national or international entity, or other person.

(7) COLLECTION OF FEES.—

(A) GENERAL RULE.—In accordance with this subsection, the Institute may assess and collect fees solely to defray the costs of the Institute in developing or administering education and training programs under this subsection.