

(e) REPORTING ON PERFORMANCE TARGETS.—Not later than 4 years after the date of enactment of the MAP-21 and biennially thereafter, a State shall submit to the Secretary a report that describes—

- (1) the condition and performance of the National Highway System in the State;
- (2) the effectiveness of the investment strategy document in the State asset management plan for the National Highway System;
- (3) progress in achieving performance targets identified under subsection (d); and
- (4) the ways in which the State is addressing congestion at freight bottlenecks, including those identified in the national freight strategic plan, within the State.

(Added Pub. L. 112-141, div. A, title I, §1203(a), July 6, 2012, 126 Stat. 524, amended Pub. L. 114-94, div. A, title I, §1446(a)(4)-(6), (d)(2)(A), Dec. 4, 2015, 129 Stat. 1437, 1438.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the MAP-21, referred to in subsecs. (c)(1) and (e), is deemed to be Oct. 1, 2012, see section 3(a), (b) of Pub. L. 112-141, set out as Effective and Termination Dates of 2012 Amendment notes under section 101 of this title.

CODIFICATION

Pub. L. 114-94, div. A, title I, §1446(d)(2)(A), Dec. 4, 2015, 129 Stat. 1438, amended directory language of Pub. L. 112-141, div. A, title I, §1203(a), July 6, 2012, 126 Stat. 524, which enacted this section.

PRIOR PROVISIONS

A prior section 150, added Pub. L. 93-87, title I, §157(a), Aug. 13, 1973, 87 Stat. 277; amended Pub. L. 97-424, title I, §124, Jan. 6, 1983, 96 Stat. 2113, related to allocation of urban system funds, prior to repeal by Pub. L. 105-178, title I, §1103(l)(5), as added Pub. L. 105-206, title IX, §9002(c)(1), July 22, 1998, 112 Stat. 834.

AMENDMENTS

2015—Subsec. (b)(5). Pub. L. 114-94, §1446(a)(4), substituted “National Highway Freight Network” for “national freight network”.

Subsec. (c)(3)(B). Pub. L. 114-94, §1446(a)(5), substituted period for semicolon at end.

Subsec. (e)(4). Pub. L. 114-94, §1446(a)(6), substituted “national freight strategic plan” for “National Freight Strategic Plan”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Except as otherwise provided, 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.

Pub. L. 114-94, div. A, title I, §1446(d), Dec. 4, 2015, 129 Stat. 1438, provided that the amendment made by section 1446(d)(2)(A) is effective as of July 6, 2012, and as if included in Pub. L. 112-141 as enacted.

EFFECTIVE DATE

Section 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.

PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM

Pub. L. 114-94, div. A, title VI, §6028, Dec. 4, 2015, 129 Stat. 1587, as amended by Pub. L. 117-58, div. A, title III, §13003, Nov. 15, 2021, 135 Stat. 628, provided that:

“(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

“(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

- “(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;
- “(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;
- “(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;
- “(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and
- “(5) developing tools—
 - “(A) to improve performance analysis; and
 - “(B) to evaluate the effects of project investments on performance.

“(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator of the Federal Highway Administration may use up to \$10,000,000 for each of fiscal years 2022 through 2026 to carry out this section.”

§ 151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors

(a) IN GENERAL.—The Secretary shall periodically designate national electric vehicle charging and hydrogen, propane, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to support changes in the transportation sector that help achieve a reduction in greenhouse gas emissions and improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, propane, and natural gas fueling technologies across the United States.

(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

- (1) solicit nominations from State and local officials for facilities to be included in the corridors;
- (2) incorporate existing electric vehicle charging, hydrogen fueling, propane fueling, and natural gas fueling corridors previously designated by the Federal Highway Administration or designated by a State or group of States; and
- (3) consider the demand for, and location of, existing electric vehicle charging stations, hydrogen fueling stations, propane fueling stations, and natural gas fueling infrastructure.

(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

- (1) the heads of other Federal agencies;
- (2) State and local officials;
- (3) representatives of—

- (A) energy utilities;
- (B) the electric, fuel cell electric, propane, and natural gas vehicle industries;
- (C) the freight and shipping industry;
- (D) clean technology firms;
- (E) the hospitality industry;
- (F) the restaurant industry;
- (G) highway rest stop vendors; and
- (H) industrial gas and hydrogen manufacturers; and

(4) such other stakeholders as the Secretary determines to be necessary.

(d) REDESIGNATION.—

(1) INITIAL REDESIGNATION.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization Act of 2021, the Secretary shall update and redesignate the corridors under subsection (a).

(2) SUBSEQUENT REDESIGNATION.—The Secretary shall establish a recurring process to regularly update and redesignate the corridors under subsection (a).

(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

(1) identifies electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers;

(2) describes efforts, including through funds awarded through the grant program under subsection (f), that will aid efforts to achieve strategic deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure in those corridors; and

(3) summarizes best practices and provides guidance, developed through consultation with the Secretary of Energy, for project development of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure and natural gas fueling infrastructure at the State, Tribal, and local level to allow for the predictable deployment of that infrastructure.

(f) GRANT PROGRAM.—

(1) DEFINITION OF PRIVATE ENTITY.—In this subsection, the term “private entity” means a corporation, partnership, company, or non-profit organization.

(2) ESTABLISHMENT.—Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization Act of 2021, the Secretary shall establish a grant program to award grants to eligible entities to carry out the activities described in paragraph (6).

(3) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this subsection is—

- (A) a State or political subdivision of a State;
- (B) a metropolitan planning organization;
- (C) a unit of local government;
- (D) a special purpose district or public authority with a transportation function, including a port authority;

(E) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(F) a territory of the United States;

(G) an authority, agency, or instrumentality of, or an entity owned by, 1 or more entities described in subparagraphs (A) through (F); or

(H) a group of entities described in subparagraphs (A) through (G).

(4) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary shall require, including—

(A) a description of how the eligible entity has considered—

(i) public accessibility of charging or fueling infrastructure proposed to be funded with a grant under this subsection, including—

(I) charging or fueling connector types and publicly available information on real-time availability; and

(II) payment methods to ensure secure, convenient, fair, and equal access;

(ii) collaborative engagement with stakeholders (including automobile manufacturers, utilities, infrastructure providers, technology providers, electric charging, hydrogen, propane, and natural gas fuel providers, metropolitan planning organizations, States, Indian tribes, and units of local governments, fleet owners, fleet managers, fuel station owners and operators, labor organizations, infrastructure construction and component parts suppliers, and multi-State and regional entities)—

(I) to foster enhanced, coordinated, public-private or private investment in electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure;

(II) to expand deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure;

(III) to protect personal privacy and ensure cybersecurity; and

(IV) to ensure that a properly trained workforce is available to construct and install electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure;

(iii) the location of the station or fueling site, such as consideration of—

(I) the availability of onsite amenities for vehicle operators, such as restrooms or food facilities;

(II) access in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(III) height and fueling capacity requirements for facilities that charge or refuel large vehicles, such as semi-trailer trucks; and

(IV) appropriate distribution to avoid redundancy and fill charging or fueling gaps;

(iv) infrastructure installation that can be responsive to technology advancements, such as accommodating autonomous vehicles, vehicle-to-grid technology, and future charging methods; and

(v) the long-term operation and maintenance of the electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure, to avoid stranded assets and protect the investment of public funds in that infrastructure; and

(B) an assessment of the estimated emissions that will be reduced through the use of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure, which shall be conducted using the Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) tool developed by Argonne National Laboratory (or a successor tool).

(5) CONSIDERATIONS.—In selecting eligible entities to receive a grant under this subsection, the Secretary shall—

(A) consider the extent to which the application of the eligible entity would—

(i) improve alternative fueling corridor networks by—

(I) converting corridor-pending corridors to corridor-ready corridors; or

(II) in the case of corridor-ready corridors, providing redundancy—

(aa) to meet excess demand for charging or fueling infrastructure; or

(bb) to reduce congestion at existing charging or fueling infrastructure in high-traffic locations;

(ii) meet current or anticipated market demands for charging or fueling infrastructure;

(iii) enable or accelerate the construction of charging or fueling infrastructure that would be unlikely to be completed without Federal assistance;

(iv) support a long-term competitive market for electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that does not significantly impair existing electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure providers;

(v) provide access to electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure in areas with a current or forecasted need; and

(vi) deploy electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure for medium- and heavy-duty vehicles (includ-

ing along the National Highway Freight Network established under section 167(c)) and in proximity to intermodal transfer stations;

(B) ensure, to the maximum extent practicable, geographic diversity among grant recipients to ensure that electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure is available throughout the United States;

(C) consider whether the private entity that the eligible entity contracts with under paragraph (6)—

(i) submits to the Secretary the most recent year of audited financial statements; and

(ii) has experience in installing and operating electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure; and

(D) consider whether, to the maximum extent practicable, the eligible entity and the private entity that the eligible entity contracts with under paragraph (6) enter into an agreement—

(i) to operate and maintain publicly available electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas infrastructure; and

(ii) that provides a remedy and an opportunity to cure if the requirements described in clause (i) are not met.

(6) USE OF FUNDS.—

(A) IN GENERAL.—An eligible entity receiving a grant under this subsection shall only use the funds in accordance with this paragraph to contract with a private entity for acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle.

(B) LOCATION OF INFRASTRUCTURE.—Any publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure acquired and installed with a grant under this subsection shall be located along an alternative fuel corridor designated under this section, on the condition that any affected Indian tribes are consulted before the designation.

(C) OPERATING ASSISTANCE.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), an eligible entity that receives a grant under this subsection may use a portion of the funds to provide to a private entity operating assistance for the first 5 years of operations after the installation of publicly available electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure while the facility transitions to independent system operations.

(ii) INCLUSIONS.—Operating assistance under this subparagraph shall be limited

to costs allocable to operating and maintaining the electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure and service.

(iii) LIMITATION.—Operating assistance under this subparagraph may not exceed the amount of a contract under subparagraph (A) to acquire and install publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(D) TRAFFIC CONTROL DEVICES.—

(i) IN GENERAL.—Subject to this paragraph, an eligible entity that receives a grant under this subsection may use a portion of the funds to acquire and install traffic control devices located in the right-of-way to provide directional information to publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure acquired, installed, or operated with the grant.

(ii) APPLICABILITY.—Clause (i) shall apply only to an eligible entity that—

(I) receives a grant under this subsection; and

(II) is using that grant for the acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(iii) LIMITATION ON AMOUNT.—The amount of funds used to acquire and install traffic control devices under clause (i) may not exceed the amount of a contract under subparagraph (A) to acquire and install publicly accessible charging or fueling infrastructure.

(iv) NO NEW AUTHORITY CREATED.—Nothing in this subparagraph authorizes an eligible entity that receives a grant under this subsection to acquire and install traffic control devices if the entity is not otherwise authorized to do so.

(E) REVENUE.—

(i) IN GENERAL.—An eligible entity receiving a grant under this subsection and a private entity referred to in subparagraph (A) may enter into a cost-sharing agreement under which the private entity submits to the eligible entity a portion of the revenue from the electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(ii) USES OF REVENUE.—An eligible entity that receives revenue from a cost-sharing agreement under clause (i) may only use that revenue for a project that is eligible under this title.

(7) CERTAIN FUELS.—The use of grants for propane fueling infrastructure under this subsection shall be limited to infrastructure for medium- and heavy-duty vehicles.

(8) COMMUNITY GRANTS.—

(A) IN GENERAL.—Notwithstanding paragraphs (4), (5), and (6), the Secretary shall reserve 50 percent of the amounts made available each fiscal year to carry out this section to provide grants to eligible entities in accordance with this paragraph.

(B) APPLICATIONS.—To be eligible to receive a grant under this paragraph, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(C) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this paragraph is—

(i) an entity described in paragraph (3); and

(ii) a State or local authority with ownership of publicly accessible transportation facilities.

(D) ELIGIBLE PROJECTS.—The Secretary may provide a grant under this paragraph for a project that is expected to reduce greenhouse gas emissions and to expand or fill gaps in access to publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure, including—

(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

(ii) the acquisition and installation of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle, including any related construction or reconstruction and the acquisition of real property directly related to the project, such as locations described in subparagraph (E), to expand access to electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(E) PROJECT LOCATIONS.—A project receiving a grant under this paragraph may be located on any public road or in other publicly accessible locations, such as parking facilities at public buildings, public schools, and public parks, or in publicly accessible parking facilities owned or managed by a private entity.

(F) PRIORITY.—In providing grants under this paragraph, the Secretary shall give priority to projects that expand access to electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure within—

(i) rural areas;

(ii) low- and moderate-income neighborhoods; and

(iii) communities with a low ratio of private parking spaces to households or a high ratio of multiunit dwellings to single family homes, as determined by the Secretary.

(G) **ADDITIONAL CONSIDERATIONS.**—In providing grants under this paragraph, the Secretary shall consider the extent to which the project—

(i) contributes to geographic diversity among eligible entities, including achieving a balance between urban and rural communities; and

(ii) meets current or anticipated market demands for charging or fueling infrastructure, including faster charging speeds with high-powered capabilities necessary to minimize the time to charge or refuel current and anticipated vehicles.

(H) **PARTNERING WITH PRIVATE ENTITIES.**—An eligible entity that receives a grant under this paragraph may use the grant funds to contract with a private entity for the acquisition, construction, installation, maintenance, or operation of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle.

(I) **MAXIMUM GRANT AMOUNT.**—The amount of a grant under this paragraph shall not be more than \$15,000,000.

(J) **TECHNICAL ASSISTANCE.**—Of the amounts reserved under subparagraph (A), the Secretary may use not more than 1 percent to provide technical assistance to eligible entities.

(K) **ADDITIONAL ACTIVITIES.**—The recipient of a grant under this paragraph may use not more than 5 percent of the grant funds on educational and community engagement activities to develop and implement education programs through partnerships with schools, community organizations, and vehicle dealerships to support the use of zero-emission vehicles and associated infrastructure.

(9) **REQUIREMENTS.**—

(A) **PROJECT TREATMENT.**—Notwithstanding any other provision of law, any project funded by a grant under this subsection shall be treated as a project on a Federal-aid highway under this chapter.

(B) **SIGNS.**—Any traffic control device or on-premises sign acquired, installed, or operated with a grant under this subsection shall comply with—

(i) the Manual on Uniform Traffic Control Devices, if located in the right-of-way; and

(ii) other provisions of Federal, State, and local law, as applicable.

(10) **FEDERAL SHARE.**—

(A) **IN GENERAL.**—The Federal share of the cost of a project carried out with a grant under this subsection shall not exceed 80 percent of the total project cost.

(B) **RESPONSIBILITY OF PRIVATE ENTITY.**—As a condition of contracting with an eligible entity under paragraph (6) or (8), a private entity shall agree to pay the share of the cost of a project carried out with a grant under this subsection that is not paid by the Federal Government under subparagraph (A).

(11) **REPORT.**—Not later than 3 years after the date of enactment of this subsection, 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 and make publicly available a report on the progress and implementation of this subsection.

(Added Pub. L. 114-94, div. A, title I, §1413(a), Dec. 4, 2015, 129 Stat. 1417; amended Pub. L. 117-58, div. A, title I, §11401(b), Nov. 15, 2021, 135 Stat. 546.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Surface Transportation Reauthorization Act of 2021 and the date of enactment of this subsection, referred to in subssecs. (d) and (f)(2), (11), is the date of enactment of div. A of Pub. L. 117-58, which was approved Nov. 15, 2021.

The Americans with Disabilities Act of 1990, referred to in subsec. (f)(4)(A)(iii)(II), is Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 151, added Pub. L. 100-17, title I, §125(a), Apr. 2, 1987, 101 Stat. 166; amended Pub. L. 105-178, title I, §1212(a)(2)(A)(ii), title V, §5119(e), June 9, 1998, 112 Stat. 193, 452, related to a national bridge inspection program, prior to repeal by Pub. L. 112-141, div. A, title I, §1519(b)(1)(A), July 6, 2012, 126 Stat. 575, effective Oct. 1, 2012.

Another prior section 151, added Pub. L. 93-87, title II, §205(a), Aug. 13, 1973, 87 Stat. 284; amended Pub. L. 94-280, title II, §207, May 5, 1976, 90 Stat. 454; Pub. L. 95-599, title I, §127, Nov. 6, 1978, 92 Stat. 2707; Pub. L. 96-470, title II, §209(c), Oct. 19, 1980, 94 Stat. 2245; Pub. L. 97-375, title I, §111(a), Dec. 21, 1982, 96 Stat. 1821, related to a pavement marking demonstration program, prior to repeal by Pub. L. 100-17, title I, §125(a), Apr. 2, 1987, 101 Stat. 166.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, §11401(b)(1), substituted “The Secretary shall periodically” for “Not later than 1 year after the date of enactment of the FAST Act, the Secretary shall” and “to support changes in the transportation sector that help achieve a reduction in greenhouse gas emissions and improve the mobility” for “to improve the mobility”.

Subsec. (b)(2). Pub. L. 117-58, §11401(b)(2), inserted “previously designated by the Federal Highway Administration or” before “designated by”.

Subsec. (d). Pub. L. 117-58, §11401(b)(3), added subsec. (d) and struck out former subsec. (d). Prior to amendment, text read as follows: “Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.”

Subsec. (e)(2). Pub. L. 117-58, §11401(b)(4)(B), substituted “describes efforts, including through funds awarded through the grant program under subsection (f), that will aid efforts to achieve” for “establishes an aspirational goal of achieving” and “; and” for “by the end of fiscal year 2020.”

Subsec. (e)(3). Pub. L. 117-58, §11401(b)(4)(A), (C), added par. (3).

Subsec. (f). Pub. L. 117-58, §11401(b)(5), added subsec. (f).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-58 effective Oct. 1, 2021, see section 10003 of Pub. L. 117-58, set out as a note under section 101 of this title.

EFFECTIVE DATE

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

PURPOSE TO ESTABLISH GRANTS FOR CHARGING AND FUELING INFRASTRUCTURE

Pub. L. 117-58, div. A, title I, §11401(a), Nov. 15, 2021, 135 Stat. 546, provided that: “The purpose of this section [amending this section] is to establish a grant program to strategically deploy publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure along designated alternative fuel corridors or in certain other locations that will be accessible to all drivers of electric vehicles, hydrogen vehicles, propane vehicles, and natural gas vehicles.”

ELECTRIC VEHICLE WORKING GROUP

Pub. L. 117-58, div. B, title V, §25006, Nov. 15, 2021, 135 Stat. 845, provided that:

“(a) DEFINITIONS.—In this section:

“(1) SECRETARIES.—The term ‘Secretaries’ means—
“(A) the Secretary [of Transportation]; and
“(B) the Secretary of Energy.

“(2) WORKING GROUP.—The term ‘working group’ means the electric vehicle working group established under subsection (b)(1).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Nov. 15, 2021], the Secretaries shall jointly establish an electric vehicle working group to make recommendations regarding the development, adoption, and integration of light-, medium-, and heavy-duty electric vehicles into the transportation and energy systems of the United States.

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The working group shall be composed of—

“(i) the Secretaries (or designees), who shall be cochairmen of the working group; and

“(ii) not more than 25 members, to be appointed by the Secretaries, of whom—

“(I) not more than 6 shall be Federal stakeholders as described in subparagraph (B); and

“(II) not more than 19 shall be non-Federal stakeholders as described in subparagraph (C).

“(B) FEDERAL STAKEHOLDERS.—The working group—

“(i) shall include not fewer than 1 representative of each of—

“(I) the Department [of Transportation];

“(II) the Department of Energy;

“(III) the Environmental Protection Agency;

“(IV) the Council on Environmental Quality;

and

“(V) the General Services Administration;

and

“(ii) may include a representative of any other Federal agency the Secretaries consider to be appropriate.

“(C) NON-FEDERAL STAKEHOLDERS.—

“(i) IN GENERAL.—Subject to clause (ii), the working group—

“(I) shall include not fewer than 1 representative of each of—

“(aa) a manufacturer of light-duty electric vehicles or the relevant components of light-duty electric vehicles;

“(bb) a manufacturer of medium- and heavy-duty vehicles or the relevant components of medium- and heavy-duty electric vehicles;

“(cc) a manufacturer of electric vehicle batteries;

“(dd) an owner, operator, or manufacturer of electric vehicle charging equipment;

“(ee) the public utility industry;

“(ff) a public utility regulator or association of public utility regulators;

“(gg) the transportation fueling distribution industry;

“(hh) the energy provider industry;

“(ii) the automotive dealing industry;

“(jj) the for-hire passenger transportation industry;

“(kk) an organization representing units of local government;

“(ll) an organization representing regional transportation or planning agencies;

“(mm) an organization representing State departments of transportation;

“(nn) an organization representing State departments of energy or State energy planners;

“(oo) the intelligent transportation systems and technologies industry;

“(pp) labor organizations representing workers in transportation manufacturing, construction, or operations;

“(qq) the trucking industry;

“(rr) Tribal governments; and

“(ss) the property development industry;

and

“(II) may include a representative of any other non-Federal stakeholder that the Secretaries consider to be appropriate.

“(ii) REQUIREMENT.—The stakeholders selected under clause (i) shall, in the aggregate—

“(I) consist of individuals with a balance of backgrounds, experiences, and viewpoints; and

“(II) include individuals that represent geographically diverse regions of the United States, including individuals representing the perspectives of rural, urban, and suburban areas.

“(D) COMPENSATION.—A member of the working group shall serve without compensation.

“(3) MEETINGS.—

“(A) IN GENERAL.—The working group shall meet not less frequently than once every 120 days.

“(B) REMOTE PARTICIPATION.—A member of the working group may participate in a meeting of the working group via teleconference or similar means.

“(4) COORDINATION.—In carrying out the duties of the working group, the working group shall coordinate and consult with any existing Federal interagency working groups on fleet conversion or other similar matters relating to electric vehicles.

“(c) REPORTS AND STRATEGY ON ELECTRIC VEHICLE ADOPTION.—

“(1) WORKING GROUP REPORTS.—The working group shall complete by each of the deadlines described in paragraph (2) a report describing the status of electric vehicle adoption including—

“(A) a description of the barriers and opportunities to scaling up electric vehicle adoption throughout the United States, including recommendations for issues relating to—

“(i) consumer behavior;

“(ii) charging infrastructure needs, including standardization and cybersecurity;

“(iii) manufacturing and battery costs, including the raw material shortages for batteries and electric motor magnets;

“(iv) the adoption of electric vehicles for low- and moderate-income individuals and underserved communities, including charging infrastructure access and vehicle purchase financing;

“(v) business models for charging personal electric vehicles outside the home, including wired and wireless charging;

“(vi) charging infrastructure permitting and regulatory issues;

“(vii) the connections between housing and transportation costs and emissions;

“(viii) freight transportation, including local, port and drayage, regional, and long-haul trucking;

“(ix) intercity passenger travel;

“(x) the process by which governments collect a user fee for the contribution of electric vehicles to funding roadway improvements;

“(xi) State- and local-level policies, incentives, and zoning efforts;

“(xii) the installation of highway corridor signage;

“(xiii) secondary markets and recycling for batteries;

“(xiv) grid capacity and integration;

“(xv) energy storage; and

“(xvi) specific regional or local issues that may not appear to apply throughout the United States, but may hamper nationwide adoption or coordination of electric vehicles;

“(B) examples of successful public and private models and demonstration projects that encourage electric vehicle adoption;

“(C) an analysis of current efforts to overcome the barriers described in subparagraph (A);

“(D) an analysis of the estimated costs and benefits of any recommendations of the working group; and

“(E) any other topics, as determined by the working group.

“(2) DEADLINES.—A report under paragraph (1) shall be submitted to the Secretaries, the Committees on Commerce, Science, and Transportation and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives—

“(A) in the case of the first report, by not later than 18 months after the date on which the working group is established under subsection (b)(1);

“(B) in the case of the second report, by not later than 2 years after the date on which the first report is required to be submitted under subparagraph (A); and

“(C) in the case of the third report, by not later than 2 years after the date on which the second report is required to be submitted under subparagraph (B).

“(3) STRATEGY.—

“(A) IN GENERAL.—Based on the reports submitted by the working group under paragraph (1), the Secretaries shall jointly develop, maintain, and update a strategy that describes the means by which the Federal Government, States, units of local government, and industry can—

“(i) establish quantitative targets for transportation electrification;

“(ii) overcome the barriers described in paragraph (1)(A);

“(iii) identify areas of opportunity in research and development to improve battery manufacturing, mineral mining, recycling costs, material recovery, fire risks, and battery performance for electric vehicles;

“(iv) enhance Federal interagency coordination to promote electric vehicle adoption;

“(v) prepare the workforce for the adoption of electric vehicles, including through collaboration with labor unions, educational institutions, and relevant manufacturers;

“(vi) expand electric vehicle and charging infrastructure;

“(vii) expand knowledge of the benefits of electric vehicles among the general public;

“(viii) maintain the global competitiveness of the United States in the electric vehicle and charging infrastructure markets;

“(ix) provide clarity in regulations to improve national uniformity with respect to electric vehicles; and

“(x) ensure the sustainable integration of electric vehicles into the national electric grid.

“(B) NOTICE AND COMMENT.—In carrying out subparagraph (A), the Secretaries shall provide public notice and opportunity for comment on the strategy described in that subparagraph.

“(4) INFORMATION.—

“(A) IN GENERAL.—The Secretaries may enter into an agreement with the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine to provide, track, or report data, information, or research to assist the working group in carrying out paragraph (1).

“(B) USE OF EXISTING INFORMATION.—In developing a report under paragraph (1) or a strategy under paragraph (3), the Secretaries and the working group shall take into consideration existing Federal, State, local, private sector, and academic data and information relating to electric vehicles and, to the maximum extent practicable, coordinate with the entities that publish that information—

“(i) to prevent duplication of efforts by the Federal Government; and

“(ii) to leverage existing information and complementary efforts.

“(d) COORDINATION.—To the maximum extent practicable, the Secretaries and the working group shall carry out this section using all available existing resources, websites, and databases of Federal agencies, such as—

“(1) the Alternative Fuels Data Center;

“(2) the Energy Efficient Mobility Systems program; and

“(3) the Clean Cities Coalition Network.

“(e) TERMINATION.—The working group shall terminate on submission of the third report required under subsection (c)(2)(C).”

ESTABLISHMENT OF JOINT OFFICE OF ENERGY AND TRANSPORTATION

Pub. L. 117-58, div. J, title VIII, Nov. 15, 2021, 135 Stat. 1425, as amended by Pub. L. 117-103, div. L, title IV, § 427(8), Mar. 15, 2022, 136 Stat. 774, provided in part: “That there is established a Joint Office of Energy and Transportation (referred to in this paragraph in this Act [div. J of Pub. L. 117-58, see Tables for classification] as the ‘Joint Office’) in the Department of Transportation and the Department of Energy to study, plan, coordinate, and implement issues of joint concern between the two agencies, which shall include: (1) technical assistance related to the deployment, operation, and maintenance of zero emission vehicle charging and refueling infrastructure, renewable energy generation, vehicle-to-grid integration, including microgrids, and related programs and policies; (2) data sharing of installation, maintenance, and utilization in order to continue to inform the network build out of zero emission vehicle charging and refueling infrastructure; (3) performance of a national and regionalized study of zero emission vehicle charging and refueling infrastructure needs and deployment factors, to support grants for community resilience and electric vehicle integration; (4) development and deployment of training and certification programs; (5) establishment and implementation of a program to promote renewable energy generation, storage, and grid integration, including microgrids, in transportation rights-of-way; (6) studying, planning, and funding for high-voltage distributed current infrastructure in the rights-of way of the Interstate System and for constructing high-voltage and or medium-voltage transmission pilots in the rights-of-way of the Interstate System; (7) research, strategies, and actions under the Departments’ statutory authorities to reduce transportation-related emissions and mitigate the effects of climate change; (8) development of a streamlined utility accommodations policy for high-voltage and medium-voltage transmission in the transportation right-of-way; and (9) any other issues that the Secretary of Transportation and the Secretary of Energy identify as issues of joint interest: *Provided*

further, That the Joint Office of Energy and Transportation shall establish and maintain a public database, accessible on both Department of Transportation and Department of Energy websites, that includes: (1) information maintained on the Alternative Fuel Data Center by the Office of Energy Efficiency and Renewable Energy of the Department of Energy with respect to the locations of electric vehicle charging stations; (2) potential locations for electric vehicle charging stations identified by eligible entities through the program; and (3) the ability to sort generated results by various characteristics with respect to electric vehicle charging stations, including location, in terms of the State, city, or county; status (operational, under construction, or planned); and charging type, in terms of Level 2 charging equipment or Direct Current Fast Charging Equipment: *Provided further*, That the Secretary of Transportation and the Secretary of Energy shall cooperatively administer the Joint Office consistent with this paragraph in this Act: *Provided further*, That the Secretary of Transportation and the Secretary of Energy may transfer funds between the Department of Transportation and the Department of Energy from funds provided under this paragraph in this Act to establish the Joint Office and to carry out its duties under this paragraph in this Act and any such funds or portions thereof transferred to the Joint Office may be transferred back to and merged with this account: *Provided further*, That the Secretary of Transportation and the Secretary of Energy shall notify the House and Senate Committees on Appropriations not less than 15 days prior to transferring any funds under the preceding proviso: *Provided further*, That for the purposes of funds made available under this paragraph in this Act: (1) the term ‘State’ has the meaning given such term in section 101 of title 23, United States Code; and (2) the term ‘Federal-aid highway’ means a public highway eligible for assistance under chapter 1 of title 23, United States Code, other than a highway functionally classified as a local road or rural minor collector”.

§ 152. Hazard elimination program

(a) IN GENERAL.—

(1) PROGRAM.—Each State shall conduct and systematically maintain an engineering survey of all public roads to identify hazardous locations, sections, and elements, including roadside obstacles and unmarked or poorly marked roads, which may constitute a danger to motorists, bicyclists, and pedestrians, assign priorities for the correction of such locations, sections, and elements, and establish and implement a schedule of projects for their improvement.

(2) HAZARDS.—In carrying out paragraph (1), a State may, at its discretion—

(A) identify, through a survey, hazards to motorists, bicyclists, pedestrians, and users of highway facilities; and

(B) develop and implement projects and programs to address the hazards.

(b) The Secretary may approve as a project under this section any safety improvement project, including a project described in subsection (a).

(c) Funds authorized to carry out this section shall be available for expenditure on—

(1) any public road;

(2) any public surface transportation facility or any publicly owned bicycle or pedestrian pathway or trail; or

(3) any traffic calming measure.

(d) The Federal share payable on account of any project under this section shall be 90 percent of the cost thereof.

(e) Funds authorized to be appropriated to carry out this section shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under section 104(b), except that the Secretary is authorized to waive provisions he deems inconsistent with the purposes of this section.

(f) Each State shall establish an evaluation process approved by the Secretary, to analyze and assess results achieved by safety improvement projects carried out in accordance with procedures and criteria established by this section. Such evaluation process shall develop cost-benefit data for various types of corrections and treatments which shall be used in setting priorities for safety improvement projects.

(g) Each State shall report to the Secretary of Transportation not later than December 30 of each year, on the progress being made to implement safety improvement projects for hazard elimination 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 Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than April 1 of each year on the progress being made by the States in implementing the hazard elimination program (including but not limited to any projects for pavement marking). 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 hazard elimination program.

(h) For the purposes of this section the term “State” shall have the meaning given it in section 401 of this title.

(Added Pub. L. 93–87, title II, §209(a), Aug. 13, 1973, 87 Stat. 286; amended Pub. L. 94–280, title I, §131, May 5, 1976, 90 Stat. 441; Pub. L. 95–599, title I, §168(a), Nov. 6, 1978, 92 Stat. 2722; Pub. L. 96–106, §10(b), Nov. 9, 1979, 93 Stat. 798; Pub. L. 97–375, title II, §210(b), Dec. 21, 1982, 96 Stat. 1826; Pub. L. 97–424, title I, §125, Jan. 6, 1983, 96 Stat. 2113; Pub. L. 100–17, title I, §133(b)(12), Apr. 2, 1987, 101 Stat. 172; Pub. L. 104–59, title III, §325(c), Nov. 28, 1995, 109 Stat. 592; Pub. L. 105–178, title I, §1401, June 9, 1998, 112 Stat. 235.)

Editorial Notes

AMENDMENTS

1998—Subsec. (a). Pub. L. 105–178, §1401(1), inserted subsec. heading, designated existing provisions as par. (1) and inserted par. heading, realigned margins, substituted “motorists, bicyclists, and pedestrians” for “motorists and pedestrians”, and added par. (2).

Subsec. (b). Pub. L. 105–178, §1401(2), substituted “safety improvement project, including a project de-