

division thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations promulgated under this section.

(e) “Carrier” and “railroad” defined

The terms “carrier” and “railroad” as used in this section shall have the same meaning as the term “railroad carrier” has in section 20102 of title 49.

(Pub. L. 92-574, §17, Oct. 27, 1972, 86 Stat. 1248; Pub. L. 104-287, §6(i), Oct. 11, 1996, 110 Stat. 3399; Pub. L. 117-58, div. B, title II, §22423, Nov. 15, 2021, 135 Stat. 752.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b). Pub. L. 117-58, §22423(b), substituted “subtitle V of title 49” for “the Safety Appliance Acts, subtitle IV of title 49, and the Department of Transportation Act”.

Subsecs. (c) to (e). Pub. L. 117-58, §22423(a), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

1996—Subsec. (d). Pub. L. 104-287 substituted “the term ‘railroad carrier’ has in section 20102 of title 49” for “such terms have under the first section of the Act of February 17, 1911 (45 U.S.C. 22)”.

§ 4917. Motor carrier noise emission standards

(a) Regulations; standards; consultation with Secretary of Transportation

(1) Within nine months after October 27, 1972, the Administrator shall publish proposed noise emission regulations for motor carriers engaged in interstate commerce. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of motor carriers engaged in interstate commerce which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 4905 of this title.

(2) Within ninety days after the publication of such regulations as may be proposed under paragraph (1) of this subsection, and subject to the provisions of section 4915 of this title, the Administrator shall promulgate final regulations. Such regulations may be revised from time to time, in accordance with this subsection.

(3) Any standard or regulation, or revision thereof, proposed under this subsection shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

(4) Any regulation or revision thereof promulgated under this subsection shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and

application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

(b) Regulations to insure compliance with noise emission standards

The Secretary of Transportation, after consultation with the Administrator shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under this section. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by subtitle IV of title 49 and the Department of Transportation Act. Regulations promulgated under this section shall be subject to the provisions of sections 4909, 4910, 4911, and 4915 of this title.

(c) State and local standards and controls

(1) Subject to paragraph (2) of this subsection but notwithstanding any other provision of this chapter, after the effective date of a regulation under this section applicable to noise emissions resulting from the operation of any motor carrier engaged in interstate commerce, no State or political subdivision thereof may adopt or enforce any standard applicable to the same operation of such motor carrier, unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section.

(2) Nothing in this section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations promulgated under this section.

(d) “Motor carrier” defined

For purposes of this section, the term “motor carrier” includes a motor carrier and motor private carrier as those terms are defined in section 13102 of title 49.

(Pub. L. 92-574, §18, Oct. 27, 1972, 86 Stat. 1249.; Pub. L. 104-88, title III, §339, Dec. 29, 1995, 109 Stat. 955.)

Editorial Notes

REFERENCES IN TEXT

The Department of Transportation Act, referred to in subsec. (b), is Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, which was classified principally to sections 1651 to 1660 of former Title 49, Transportation. The Act was repealed and the provisions thereof reenacted in Title 49, Transportation, by Pub. L. 97-449, Jan. 12, 1983, 96 Stat. 2413, and Pub. L. 103-272, July 5, 1994, 108 Stat. 745. The Act was also repealed by Pub. L. 104-287, §7(5), Oct. 11, 1996, 110 Stat. 3400. For disposition of sections of former Title 49, see Table at the beginning of Title 49.

CODIFICATION

In subsec. (b), “subtitle IV of title 49” substituted for “the Interstate Commerce Act [49 U.S.C. 1 et seq.]” on authority of Pub. L. 95-473, §3(b), Oct. 17, 1978, 92 Stat. 1466, the first section of which enacted subtitle IV of Title 49, Transportation.

AMENDMENTS

1995—Subsec. (d). Pub. L. 104-88 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “For purposes of this section, the term ‘motor carrier’ includes a common carrier by motor vehicle, a contract carrier by motor vehicle, and a private carrier of property by motor vehicle as those terms are defined by section 10102 of title 49.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

§ 4918. Authorization of appropriations

There are authorized to be appropriated to carry out this chapter (other than for research and development) \$15,000,000 for the fiscal year ending September 30, 1979.

(Pub. L. 92-574, § 19, Oct. 27, 1972, 86 Stat. 1250; Pub. L. 94-301, § 2, May 31, 1976, 90 Stat. 590; Pub. L. 95-609, § 6, Nov. 8, 1978, 92 Stat. 3081.)

Editorial Notes

AMENDMENTS

1978—Pub. L. 95-609 substituted provisions authorizing appropriations of \$15,000,000 for 1979 for provisions authorizing appropriations for fiscal years 1973 to 1977 and struck out restriction on expenditures for research and development.

1976—Pub. L. 94-301 inserted authorization of appropriations for fiscal year ending June 30, 1976, the transition period, and fiscal year ending September 30, 1977, and provisions excepting appropriations for research and development use.

CHAPTER 66—DOMESTIC VOLUNTEER SERVICES

Sec.
4950. Volunteerism policy.

SUBCHAPTER I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS**PART A—VOLUNTEERS IN SERVICE TO AMERICA**

4951. Congressional statement of purpose.
4952. Authority to operate VISTA program.
4953. Selection and assignment of volunteers.
4954. Terms and periods of service.
4955. Support services.
4956. Participation of program beneficiaries.
4957. Participation of younger and older persons.
4958. Limitation on funds appropriated for grants and contracts for direct cost of supporting volunteers in programs or projects.
4959. Repealed.
4960. Applications for assistance.

PART B—UNIVERSITY YEAR FOR VISTA

4971 to 4974. Repealed.

PART C—SPECIAL VOLUNTEER PROGRAMS

4991. Congressional statement of purpose.
4992. Authority to establish and operate special volunteer and demonstration programs.
4993. Technical and financial assistance.
4994, 4995. Repealed.

SUBCHAPTER II—NATIONAL SENIOR SERVICE CORPS

5000. Statement of purpose.

Sec.

PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

5001. Grants and contracts for volunteer service projects.

PART B—FOSTER GRANDPARENT PROGRAM

5011. Grants and contracts for individual service projects.
5012. Repealed.

PART C—SENIOR COMPANION PROGRAM

5013. Grants and contracts for volunteer service projects.

PART D—GENERAL PROVISIONS

5021. Promotion of National Senior Service Corps.
5022. Payments; adjustments; advances or reimbursement; installments; conditions.
5023. Minority population participation.
5024. Use of locally generated contributions in National Senior Service Corps.
5025. Programs of national significance.
5026. Adjustments to Federal financial assistance.
5027. Multiyear grants or contracts.
5027a. Acceptance of donations.

PART E—DEMONSTRATION PROGRAMS

5028. Authority of Director.
5028a. Prohibition.

SUBCHAPTER III—NATIONAL VOLUNTEER PROGRAMS TO ASSIST SMALL BUSINESSES AND PROMOTE VOLUNTEER SERVICE BY PERSONS WITH BUSINESS EXPERIENCE

5031, 5032. Repealed.

SUBCHAPTER IV—ADMINISTRATION AND COORDINATION

5041, 5042. Repealed.
5043. Political activities.
5044. Special limitations.
5045. Repealed.
5046. Labor standards for federally assisted projects, buildings, and works.
5047. Repealed.
5048. Joint funding; single non-Federal share requirement; grant or contract requirement waiver.
5049. Prohibition of Federal control of educational institution or school system.
5050. Coordination with other programs.
5051. Performance of functions by existing departments or offices rather than new departments or offices.
5052. Suspension and termination of financial assistance; procedures; notice and hearing; emergency situations; refunding applications.
5053. Repealed.
5054. Distribution of benefits between rural and urban areas.
5055. Application of Federal law.
5056. Evaluation of programs and projects.
5057. Nondiscrimination provisions.
5058. Eligibility for other benefits.
5059. Legal expenses.
5060. Repealed.
5061. Definitions.
5062. Audit.
5063. Reduction of paperwork.
5064. Review of project renewals.
5065. Protection against improper use.
5066. Provisions under the National and Community Service Act of 1990.

SUBCHAPTER V—AUTHORIZATION OF APPROPRIATIONS

5081. National Volunteer Antipoverty Programs.