

- (iii) provides access or service to—
 - (I) a grain elevator;
 - (II) an agricultural facility;
 - (III) a mining facility;
 - (IV) a forestry facility; or
 - (V) an intermodal facility;
- (iv) connects to an international port of entry;
- (v) provides access to a significant air, rail, water, or other freight facility in the State; or
- (vi) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

(C) LIMITATION.—

(i) **IN GENERAL.**—A State may propose additional designations to the National Multimodal Freight Network in the State in an amount that is not more than 30 percent of the total mileage designated by the Under Secretary in the State.

(ii) **DETERMINATION BY UNDER SECRETARY.**—The Under Secretary shall determine how to apply the limitation under clause (i) to the components of the National Multimodal Freight Network.

(D) SUBMISSION AND CERTIFICATION.—A State shall submit to the Under Secretary—

(i) a list of any additional designations proposed to be added under this paragraph; and

(ii) a certification that—
 (I) the State has satisfied the requirements of subparagraph (A); and
 (II) the designations referred to in clause (i) address the factors for designation described in this subsection.

(E) CONDITION FOR ACCEPTANCE.—The Secretary shall accept from a State a designation under subparagraph (D) only if the Secretary determines that the designation meets the applicable requirements of subparagraph (A).

(C) REDESIGNATION OF NATIONAL MULTIMODAL FREIGHT NETWORK.—Not later than 5 years after the initial designation under subsection (b), and every 5 years thereafter, the Assistant Secretary, using the designation factors described in subsection (b), shall redesignate the National Multimodal Freight Network.

(Added Pub. L. 114-94, div. A, title VIII, §8001(a), Dec. 4, 2015, 129 Stat. 1607; amended Pub. L. 117-58, div. B, title I, §§21101(d)(3), 21103, Nov. 15, 2021, 135 Stat. 656, 657.)

Editorial Notes

PRIOR PROVISIONS

A prior section 70103 was transferred and renumbered as section 50903 of Title 51, National and Commercial Space Programs.

Prior sections 70104 to 70121 were transferred and renumbered as sections 50904 to 50923 of Title 51, National and Commercial Space Programs.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, §21101(d)(3)(A), substituted “Assistant Secretary for Multimodal Freight

(referred to in this section as the ‘Assistant Secretary’)” for “Under Secretary of Transportation for Policy” in introductory provisions.

Subsec. (b). Pub. L. 117-58, §21101(d)(3)(D)(i), substituted “Designation of National Multimodal Freight Network” for “Final Network” in heading.

Pub. L. 117-58, §21101(d)(3)(B), (C), redesignated subsec. (c) as (b) and struck out former subsec. (b) which required the establishment of an interim National Multimodal Freight Network no later than 180 days after Dec. 4, 2015.

Subsec. (b)(1). Pub. L. 117-58, §21101(d)(3)(D)(ii), substituted “The Assistant Secretary” for “Not later than 1 year after the date of enactment of this section, the Under Secretary” in introductory provisions.

Subsec. (b)(2), (3). Pub. L. 117-58, §21101(d)(3)(D)(iii), (iv), substituted “Assistant Secretary” for “Under Secretary” in introductory provisions.

Subsec. (b)(3)(C). Pub. L. 117-58, §21103(1), added subpar. (C) and struck out former subpar. (C) which read as follows: “provide the States with an opportunity to submit proposed designations in accordance with paragraph (4).”

Subsec. (b)(4)(C)(i). Pub. L. 117-58, §21103(2)(A), substituted “30 percent” for “20 percent”.

Subsec. (b)(4)(E). Pub. L. 117-58, §21103(2)(B), added subpar. (E).

Subsecs. (c), (d). Pub. L. 117-58, §21101(d)(3)(C), (E), redesignated subsec. (d) as (c), substituted “subsection (b)” for “subsection (c)” in two places, and substituted “Assistant Secretary” for “Under Secretary”. Former subsec. (c) redesignated (b).

Statutory Notes and Related Subsidiaries

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.

CHAPTER 702—MULTIMODAL FREIGHT TRANSPORTATION PLANNING AND INFORMATION

<p>Sec. 70201. 70202. 70203. 70204. 70205. 70206.</p>	<p>State freight advisory committees. State freight plans. Transportation investment data and planning tools. Multi-State freight corridor planning. National multimodal cooperative freight research program. Savings provision.</p>
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Editorial Notes

AMENDMENTS

2021—Pub. L. 117-58, div. B, title I, §§21106(b), 21204(b), Nov. 15, 2021, 135 Stat. 662, 679, added items 70204 to 70206 and struck out former item 70204 “Savings provision”.

§ 70201. State freight advisory committees

(a) **IN GENERAL.**—The Secretary of Transportation shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of—

- (1) ports, if applicable;
- (2) freight railroads, if applicable;
- (3) shippers;
- (4) carriers;
- (5) freight-related associations;
- (6) third-party logistics providers;
- (7) the freight industry workforce;

(8) the transportation department of the State;

(9) metropolitan planning organizations;

(10) local governments;

(11) the environmental protection department of the State, if applicable;

(12) the air resources board of the State, if applicable;

(13) economic development agencies of the State; and

(14) not-for-profit organizations or community organizations.

(b) **QUALIFICATIONS.**—Each member of a freight advisory committee established under subsection (a) shall have qualifications sufficient to serve on a freight advisory committee, including, as applicable—

(1) general business and financial experience;

(2) experience or qualifications in the areas of freight transportation and logistics;

(3) experience in transportation planning;

(4) experience representing employees of the freight industry;

(5) experience representing a State, local government, or metropolitan planning organization; or

(6) experience representing the views of a community group or not-for-profit organization.

(c) **ROLE OF COMMITTEE.**—A freight advisory committee of a State described in subsection (a) shall—

(1) advise the State on freight-related priorities, issues, projects, and funding needs;

(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

(3) communicate and coordinate regional priorities with other organizations;

(4) promote the sharing of information between the private and public sectors on freight issues; and

(5) participate in the development of the freight plan of the State described in section 70202, including by providing advice regarding the development of the freight investment plan.

(Added Pub. L. 114-94, div. A, title VIII, §8001(a), Dec. 4, 2015, 129 Stat. 1610; amended Pub. L. 117-58, div. B, title I, §21107, Nov. 15, 2021, 135 Stat. 662.)

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, §21107(1), substituted “representatives of—” and pars. (1) to (14) for “representatives of ports, freight railroads, shippers, carriers, freight-related associations, third-party logistics providers, the freight industry workforce, the transportation department of the State, and local governments.”

Subsec. (b). Pub. L. 117-58, §21107(4), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (b)(5). Pub. L. 117-58, §21107(2), substituted “70202, including by providing advice regarding the development of the freight investment plan.” for “70202.”

Subsec. (c). Pub. L. 117-58, §21107(3), redesignated subsec. (b) as (c).

Statutory Notes and Related Subsidiaries

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.

§ 70202. State freight plans

(a) **IN GENERAL.**—Each State that receives funding under section 167 of title 23 shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

(b) **PLAN CONTENTS.**—A State freight plan described in subsection (a) shall include, at a minimum—

(1) an identification of significant freight system trends, needs, and issues with respect to the State;

(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

(3) when applicable, a listing of—

(A) multimodal critical rural freight facilities and corridors designated within the State under section 70103 of this title; and

(B) critical rural and urban freight corridors designated within the State under section 167 of title 23;

(4) a description of how the plan will improve the ability of the State to meet the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23;

(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of the roadways, a description of improvements that may be required to reduce or impede the deterioration;

(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and for those facilities that are State owned or operated, a description of the strategies the State is employing to address the freight mobility issues;

(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay;

(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched;

(10) the most recent commercial motor vehicle parking facilities assessment conducted by the State under subsection (f);

(11) the most recent supply chain cargo flows in the State, expressed by mode of transportation;