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TITLE 23--HIGHWAYS

CHAPTER 1--FEDERAL-AID HIGHWAYS

Sec. 135. Statewide transportation planning

(a) General Requirements.--

(1) Development of plans and programs.--To accomplish the objectives stated in section 134(a), each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State, subject to section 134.

(2) Contents.--The statewide transportation plan and the transportation improvement program developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

(3) Process of development.--The process for developing the statewide plan and the transportation improvement program shall provide for consideration of all modes of transportation and the policies stated in section 134(a), and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

(b) Coordination With Metropolitan Planning; State Implementation Plan.--A State shall--

(1) coordinate planning carried out under this section with the transportation planning activities carried out under section 134 for metropolitan areas of the State and with statewide trade and economic development planning activities and related multistate planning efforts; and

(2) develop the transportation portion of the State implementation plan as required by the Clean Air Act (42 U.S.C. 7401 et seq.).

(c) Interstate Agreements.--

(1) In general.--The consent of Congress is granted to two or more States entering into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section related to interstate areas and localities in the States and establishing authorities the States consider desirable for making the agreements and compacts effective.

(2) Reservation of rights.--The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

(d) Scope of Planning Process.--

(1) In general.--Each State shall carry out a statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will--

(A) support the economic vitality of the United States, the States, nonmetropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity,

and

efficiency;

(B) increase the safety of the transportation system for motorized and nonmotorized users;

(C) increase the security of the transportation system for motorized and nonmotorized users;

(D) increase the accessibility and mobility of people and freight;

(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

(F) enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;

(G) promote efficient system management and operation; and

(H) emphasize the preservation of the existing transportation system.

(2) Failure to consider factors.--The failure to consider any factor specified in paragraph (1) shall not be reviewable by any court under this title or chapter 53 of title 49, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a statewide transportation plan, the transportation improvement program, a project or strategy, or the certification of a planning process.

(e) Additional Requirements.--In carrying out planning under this section, each State shall consider, at a minimum--

(1) with respect to nonmetropolitan areas, the concerns of affected local officials with responsibility for transportation;

(2) the concerns of Indian tribal governments and Federal land management agencies that have jurisdiction over land within the boundaries of the State; and

(3) coordination of transportation plans, the transportation improvement program, and planning activities with related planning activities being carried out outside of metropolitan planning areas and between States.

(f) Long-Range Statewide Transportation Plan.--

(1) Development.--Each State shall develop a long-range statewide transportation plan, with a minimum 20-year forecast period for all areas of the State, that provides for the development

and implementation of the intermodal transportation system of the

State.

(2) Consultation with governments.--

(A) Metropolitan areas.--The statewide transportation plan shall be developed for each metropolitan area in the State in cooperation with the metropolitan planning organization designated for the metropolitan area under section 134.

(B) Nonmetropolitan areas.--With respect to nonmetropolitan areas, the statewide transportation plan shall be developed in consultation with affected nonmetropolitan officials with responsibility for transportation. The Secretary shall not review or approve the consultation process in each State.

(C) Indian tribal areas.--With respect to each area of the State under the jurisdiction of an Indian tribal government,

the

statewide transportation plan shall be developed in

consultation

with the tribal government and the Secretary of the Interior.

(D) Consultation, comparison, and consideration.--

(i) In general.--The long-range transportation plan shall be developed, as appropriate, in consultation with State, tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

(ii) Comparison and consideration.--Consultation under clause (i) shall involve comparison of transportation plans to State and tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural or historic resources, if available.

(3) Participation by interested parties.--

(A) In general.--In developing the statewide transportation plan, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties with a reasonable opportunity to comment on the proposed plan.

(B) Methods.--In carrying out subparagraph (A), the State shall, to the maximum extent practicable--

(i) hold any public meetings at convenient and accessible locations and times;

(ii) employ visualization techniques to describe plans; and

(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

(4) Mitigation activities.--

(A) In general.--A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to

restore and maintain the environmental functions affected by  
the  
plan.

(B) Consultation.--The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

(5) Financial plan.--The statewide transportation plan may include a financial plan that demonstrates how the adopted statewide transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted statewide transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

(6) Selection of projects from illustrative list.--A State shall not be required to select any project from the illustrative list of additional projects included in the financial plan described in paragraph (5).

(7) Existing system.--The statewide transportation plan should include capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system.

(8) Publication of long-range transportation plans.--Each long-range transportation plan prepared by a State shall be published or otherwise made available, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.

(g) Statewide Transportation Improvement Program.--

(1) Development.--Each State shall develop a statewide transportation improvement program for all areas of the State. Such program shall cover a period of 4 years and be updated every 4 years

or more frequently if the Governor elects to update more frequently.

(2) Consultation with governments.--

(A) Metropolitan areas.--With respect to each metropolitan area in the State, the program shall be developed in cooperation

with the metropolitan planning organization designated for the metropolitan area under section 134.

(B) Nonmetropolitan areas.--With respect to each nonmetropolitan area in the State, the program shall be developed in consultation with affected nonmetropolitan local officials with responsibility for transportation. The Secretary shall not review or approve the specific consultation process

in the State.

(C) Indian tribal areas.--With respect to each area of the

State under the jurisdiction of an Indian tribal government,  
the  
program shall be developed in consultation with the tribal  
government and the Secretary of the Interior.

(3) Participation by interested parties.--In developing the  
program, the State shall provide citizens, affected public  
agencies,  
representatives of public transportation employees, freight  
shippers, private providers of transportation, providers of freight  
transportation services, representatives of users of public  
transportation, representatives of users of pedestrian walkways and  
bicycle transportation facilities, representatives of the disabled,  
and other interested parties with a reasonable opportunity to  
comment on the proposed program.

(4) Included projects.--

(A) In general.--A transportation improvement program  
developed under this subsection for a State shall include  
federally supported surface transportation expenditures within  
the boundaries of the State.

(B) Listing of projects.--An annual listing of projects for  
which funds have been obligated in the preceding year in each  
metropolitan planning area shall be published or otherwise made  
available by the cooperative effort of the State, transit  
operator, and the metropolitan planning organization for public  
review. The listing shall be consistent with the funding  
categories identified in each metropolitan transportation  
improvement program.

(C) Projects under chapter 2.--

(i) Regionally significant projects.--Regionally  
significant projects proposed for funding under chapter 2  
shall be identified individually in the transportation  
improvement program.

(ii) Other projects.--Projects proposed for funding  
under chapter 2 that are not determined to be regionally  
significant shall be grouped in one line item or identified  
individually in the transportation improvement program.

(D) Consistency with statewide transportation plan.--Each  
project shall be--

(i) consistent with the statewide transportation plan  
developed under this section for the State;

(ii) identical to the project or phase of the project

as

described in an approved metropolitan transportation plan;  
and

(iii) in conformance with the applicable State air  
quality implementation plan developed under the Clean Air  
Act, if the project is carried out in an area designated as  
nonattainment for ozone, particulate matter, or carbon  
monoxide under such Act.

(E) Requirement of anticipated full funding.--The  
transportation improvement program shall include a project, or  
an identified phase of a project, only if full funding can  
reasonably be anticipated to be available for the project

within

the time period contemplated for completion of the project.

(F) Financial plan.--The transportation improvement program may include a financial plan that demonstrates how the approved transportation improvement program can be implemented, indicates

resources from public and private sources that are reasonably expected to be made available to carry out the transportation improvement program, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects

that

would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

(G) Selection of projects from illustrative list.--

(i) No required selection.--Notwithstanding subparagraph

(F), a State shall not be required to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F).

(ii) Required action by the secretary.--Action by the Secretary shall be required for a State to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F) for inclusion in an approved transportation improvement

program.

(H) Priorities.--The transportation improvement program shall reflect the priorities for programming and expenditures of

funds, including transportation enhancement activities, required

by this title and chapter 53 of title 49.

(5) Project selection for areas of less than 50,000 population.--Projects carried out in areas with populations of less than 50,000 individuals shall be selected, from the approved transportation improvement program (excluding projects carried out on the National Highway System and projects carried out under the bridge program or the Interstate maintenance program under this title or under sections 5310, 5311, 5316, and 5317 of title 49), by the State in cooperation with the affected nonmetropolitan local officials with responsibility for transportation. Projects carried out in areas with populations of less than 50,000 individuals on

the

National Highway System or under the bridge program or the Interstate maintenance program under this title or under sections 5310, 5311, 5316, and 5317 of title 49 shall be selected, from the approved statewide transportation improvement program, by the State in consultation with the affected nonmetropolitan local officials with responsibility for transportation.

(6) Transportation improvement program approval.--Every 4 years,

a transportation improvement program developed under this subsection

shall be reviewed and approved by the Secretary if based on a current planning finding.

(7) Planning finding.--A finding shall be made by the Secretary at least every 4 years that the transportation planning process through which statewide transportation plans and programs are developed is consistent with this section and section 134.

(8) Modifications to project priority.--Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved transportation improvement program in place of another project in the program.

(h) Funding.--Funds set aside pursuant to section 104(f) of this title and section 5305(g) of title 49, shall be available to carry out this section.

(i) Treatment of Certain State Laws as Congestion Management Processes.--For purposes of this section and section 134, and sections 5303 and 5304 of title 49, State laws, rules, or regulations pertaining to congestion management systems or programs may constitute the congestion management process under this section and section 134, and sections 5303 and 5304 of title 49, if the Secretary finds that the State laws, rules, or regulations are consistent with, and fulfill the intent of, the purposes of this section and section 134 and sections 5303 and 5304 of title 49, as appropriate.

(j) Continuation of Current Review Practice.--Since the statewide transportation plan and the transportation improvement program described in this section are subject to a reasonable opportunity for public comment, since individual projects included in the statewide transportation plans and the transportation improvement program are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning statewide transportation plans or the transportation improvement program described in this section have not been reviewed under such Act as of January 1, 1997, any decision by the Secretary concerning a metropolitan or statewide transportation plan or the transportation improvement program described in this section shall not be considered to be a Federal action subject to review under such Act.

(Added Pub. L. 90-495, Sec. 10(a), Aug. 23, 1968, 82 Stat. 820; amended Pub. L. 91-605, title I, Secs. 106(g), 125, Dec. 31, 1970, 84 Stat. 1718, 1729; Pub. L. 93-87, title I, Sec. 119, Aug. 13, 1973, 87 Stat. 259; Pub. L. 94-280, title I, Sec. 123(a), May 5, 1976, 90 Stat. 439; Pub. L. 102-240, title I, Sec. 1025(a), Dec. 18, 1991, 105 Stat. 1962; Pub. L. 103-429, Sec. 3(6), Oct. 31, 1994, 108 Stat. 4378; Pub. L. 105-178, title I, Sec. 1204(a)-(h), June 9, 1998, 112 Stat. 180-184; Pub. L. 109-59, title VI, Sec. 6001(a), Aug. 10, 2005, 119 Stat. 1851.)

#### References in Text

The Clean Air Act, referred to in subsecs. (b)(2) and (g)(4)(D)(iii), is act July 14, 1955, ch. 360, 69 Stat. 322, as amended, which is classified generally to chapter 85 (Sec. 7401 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 7401 of Title 42 and Tables.

The National Environmental Policy Act of 1969, referred to in subsec. (j), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (Sec. 4321 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 4321 of Title 42 and Tables.

#### Prior Provisions

A prior section 135, Pub. L. 89-139, Sec. 4(a), Aug. 28, 1965, 79 Stat. 578, called for a highway safety program in each State approved by the Secretary, prior to repeal by Pub. L. 89-564, title I, Sec. 102(a), Sept. 9, 1966, 80 Stat. 734. See section 402 of this title.

#### Amendments

2005--Pub. L. 109-59 amended section catchline and text generally, substituting provisions relating to statewide transportation planning for provisions relating to, in subsec. (a), development of plans and programs by each State, in subsec. (b), coordination of State with Federal planning, in subsec. (c), scope of planning process, in subsec. (d), additional minimum requirements for each State to consider, in subsec. (e), development of a long-range transportation plan, in subsec. (f), development of a State transportation improvement program, in subsec. (g), funding, in subsec. (h), treatment of certain State laws as congestion management systems, and, in subsec. (i), review of plans and programs under the National Environmental Policy Act of 1969.

1998--Subsec. (a). Pub. L. 105-178, Sec. 1204(a), reenacted heading without change and amended text of subsec. (a) generally. Prior to amendment, text read as follows: ``It is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve all areas of the State efficiently and effectively. Subject to section 134 of this title, the State shall develop transportation plans and programs for all areas of the State. Such plans and programs shall provide for development of transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an intermodal State transportation system. The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems.''

Subsec. (b). Pub. L. 105-178, Sec. 1204(b), inserted ``and sections 5303 through 5305 of title 49'' after ``section 134 of this title''.

Subsec. (c). Pub. L. 105-178, Sec. 1204(c), amended heading and text of subsec. (c) generally, substituting provisions relating to scope of planning process for provisions relating to considerations to be involved in State's continuous transportation planning process.

Subsec. (d). Pub. L. 105-178, Sec. 1204(d), reenacted heading without change and amended text of subsec. (d) generally. Prior to



amendment, text read as follows: ``Each State in carrying out planning under this section shall, at a minimum, consider the following:

``(1) The coordination of transportation plans and programs developed for metropolitan areas of the State under section 134 with the State transportation plans and programs developed under this section and the reconciliation of such plans and programs as necessary to ensure connectivity within transportation systems.

``(2) Investment strategies to improve adjoining State and local roads that support rural economic growth and tourism development, Federal agency renewable resources management, and multipurpose land management practices, including recreation development.

``(3) The concerns of Indian tribal governments having jurisdiction over lands within the boundaries of the State.'' Subsec. (e). Pub. L. 105-178, Sec. 1204(e), amended heading and text

of subsec. (e) generally. Prior to amendment, text read as follows: ``The State shall develop a long-range transportation plan for all areas of the State. With respect to metropolitan areas of the State, the plan shall be developed in cooperation with metropolitan planning organizations designated for metropolitan areas in the State under section 134. With respect to areas of the State under the jurisdiction of an Indian tribal government, the plan shall be developed in cooperation with such government and the Secretary of the Interior. In developing the plan, the State shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties with a reasonable opportunity to comment on the proposed plan. In addition, the State shall develop a long-range plan for bicycle transportation and pedestrian walkways for appropriate areas of the State which shall be incorporated into the long-range transportation plan.''

Subsec. (f). Pub. L. 105-178, Sec. 1204(f), amended heading and text of subsec. (f) generally. Prior to amendment, text related to transportation improvement programs, including program development, requirement for inclusion of certain projects for State transportation improvement program, project selection for areas less than 50,000 population, and requirement of biennial review and approval.

Subsec. (g). Pub. L. 105-178, Sec. 1204(g), which directed substitution of ``section 505(a)'' for ``section 307(c)(1)'' in section 134(g), was executed by making the substitution in subsec. (g) of this section to reflect the probable intent of Congress.

Subsec. (i). Pub. L. 105-178, Sec. 1204(h), added subsec. (i). 1994--Subsec. (f)(2). Pub. L. 103-429, Sec. 3(6)(A), substituted ``chapter 53 of title 49'' for ``the Federal Transit Act''.

Subsec. (h). Pub. L. 103-429, Sec. 3(6)(B), substituted ``sections 5303-5306 and 5323(k) of title 49'' for ``section 8 of the Federal Transit Act, United States Code'' and ``section 8 of such Act''.

1991--Pub. L. 102-240 substituted section catchline for one which read: ``Traffic operations improvement programs'', and amended text generally. Prior to amendment, text read as follows:

``(a) The Congress hereby finds and declares it to be in the

national interest that each State shall have a continuing program designed to reduce traffic congestion and facilitate the flow of traffic.

“(b) The Secretary may approve under this section any project for improvements on any public road which project will directly facilitate and control traffic flow on any of the Federal-aid systems.”

1976--Pub. L. 94-280 struck out introductory words “Urban area” in section catchline.

Subsec. (a). Pub. L. 94-280 struck out “within the designated boundaries of urban areas of the State” and “in the urban areas” after “continuing program” and “flow of traffic”, respectively.

Subsec. (b). Pub. L. 94-280 substituted “any project for improvements on any public road which project will directly facilitate and control traffic flow on any of the Federal-aid systems” for “any project on an extension of the Federal-aid primary or secondary system in urban areas and on the Federal-aid urban system for improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and loading and unloading ramps. If such project is located in an urban area of more than fifty thousand population, such project shall be based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title”.

Subsec. (c). Pub. L. 94-280 struck out subsec. (c) which provided for an annual report by the Secretary on projects approved under this section with recommendations for further improvement of traffic operations in accordance with this section.

1973--Subsecs. (c), (d). Pub. L. 93-87 struck out subsec. (c) which provided for apportionment of sums authorized to carry out this section in accordance with section 104(b)(3) of this title, and redesignated subsec. (d) as (c).

1970--Subsec. (b). Pub. L. 91-605 inserted reference to the Federal-aid urban system and required that projects under this section be based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title only in urban areas of more than fifty thousand population.

#### Effective Date of 1991 Amendment

Amendment by Pub. L. 102-240 effective Dec. 18, 1991, and applicable to funds authorized to be appropriated or made available after Sept. 30, 1991, and, with certain exceptions, not applicable to funds appropriated or made available on or before Sept. 30, 1991, see section 1100 of Pub. L. 102-240, set out as a note under section 104 of this title.

#### Effective Date

Section effective Aug. 23, 1968, see section 37 of Pub. L. 90-495,

set out as an Effective Date of 1968 Amendment note under section 101 of this title.

#### Participation of Local Elected Officials

Pub. L. 105-178, title I, Sec. 1204(i), June 9, 1998, 112 Stat. 184, provided that:

``(1) Study.--The Secretary shall conduct a study on the effectiveness of the participation of local elected officials in transportation planning and programming. In conducting the study, the Secretary shall consider the degree of cooperation between each State, local officials in rural areas in the State, and regional planning and development organizations in the State.

``(2) Report.--Not later than 2 years after the date of enactment of this Act [June 9, 1998], the Secretary shall transmit to Congress a report containing the results of the study with any recommendations the Secretary determines appropriate as a result of the study.''

#### Advanced Travel Forecasting Procedures Program

Pub. L. 109-59, title V, Sec. 5512, Aug. 10, 2005, 119 Stat. 1828, provided that:

``(a) Continuation and Acceleration of TRANSIMS Deployment.--

``(1) In general.--The Secretary [of Transportation] shall accelerate the deployment of the advanced transportation model known as the 'Transportation Analysis Simulation System' (in this section referred to as 'TRANSIMS'), developed by the Los Alamos National Laboratory.

``(2) Program appreciation.--The purpose of the program is to assist State departments of transportation and metropolitan planning organizations--

``(A) to implement TRANSIMS;

``(B) to develop methods for TRANSIMS applications to transportation planning, air quality analysis, regulatory compliance, and response to natural disasters and other transportation disruptions; and

``(C) to provide training and technical assistance for the implementation of TRANSIMS.

``(b) Required Activities.--The Secretary [of Transportation] shall use funds made available to carry out this section to--

``(1) provide funding to State departments of transportation and

metropolitan planning organizations serving transportation management areas designated under chapter 52 [53] of title 49, United States Code, representing a diversity of populations, geographic regions, and analytic needs to implement TRANSIMS;

``(2) develop methods to demonstrate a wide spectrum of TRANSIMS applications to support local, metropolitan, statewide transportation planning, including integrating highway and transit

operational considerations into the transportation Planning process, and estimating the effects of induced travel demand and transit ridership in making transportation conformity determinations where applicable;

``(3) provide training and technical assistance with respect to the implementation and application of TRANSIMS to States, local governments, and metropolitan planning organizations with responsibility for travel modeling;

``(4) to further develop TRANSIMS for additional applications, including--

- ``(A) congestion analyses;
- ``(B) major investment studies;
- ``(C) economic impact analyses;
- ``(D) alternative analyses;
- ``(E) freight movement studies;
- ``(F) emergency evacuation studies;
- ``(G) port studies;
- ``(H) airport access studies;
- ``(I) induced demand studies; and
- ``(J) transit ridership analysis.

``(c) Eligible Activities.--The program may support the development of methods to plan for the transportation response to chemical and biological terrorism and other security concerns.

``(d) Allocation of Funds.--Not more than 75 percent of the funds made available to carry out this section may be allocated to activities described in subsection (b)(1).

``(e) Funding.--Of the amounts made available by section 5101(a)(1) of this Act [119 Stat. 1779], \$2,625,000 for each of fiscal years 2006 through 2009 shall be available to carry out this section.''

Pub. L. 105-178, title I, Sec. 1210, June 9, 1998, 112 Stat. 187, provided that:

``(a) Establishment.--The Secretary shall establish an advanced travel forecasting procedures program--

``(1) to provide for completion of the advanced transportation model developed under the Transportation Analysis Simulation System (referred to in this section as 'TRANSIMS'); and

``(2) to provide support for early deployment of the advanced transportation modeling computer software and graphics package developed under TRANSIMS and the program established under this section to States, local governments, and metropolitan planning organizations with responsibility for travel modeling.

``(b) Eligible Activities.--The Secretary shall use funds made available under this section to--

``(1) provide funding for completion of core development of the advanced transportation model;

``(2) develop user-friendly advanced transportation modeling computer software and graphics packages;

``(3) provide training and technical assistance with respect to the implementation and application of the advanced transportation model to States, local governments, and metropolitan planning organizations with responsibility for travel modeling; and

``(4) allocate funds to not more than 12 entities described in paragraph (3), representing a diversity of populations and geographic regions, for a pilot program to enable transportation management areas designated under section 134(i) of title 23,

United

States Code, to convert from the use of travel forecasting procedures in use by the areas as of the date of enactment of this Act [June 9, 1998] to the use of the advanced transportation model.

``(c) Funding.--

``(1) In general.--There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out this section \$4,000,000 for fiscal year 1998, \$3,000,000 for fiscal year 1999, \$6,500,000 for fiscal year 2000, \$5,000,000 for fiscal year 2001, \$4,000,000 for fiscal year 2002, and \$2,500,000 for fiscal year 2003.

``(2) Allocation of funds.--

``(A) Fiscal years 1998 and 1999.--For each of fiscal years 1998 and 1999, 100 percent of the funds made available under paragraph (1) shall be allocated to activities as described in paragraphs (1), (2), and (3) of subsection (b).

``(B) Fiscal years 2000 through 2003.--For each of fiscal years 2000 through 2003, not more than 50 percent of the funds made available under paragraph (1) may be allocated to activities described in subsection (b)(4).

``(3) Contract authority.--Funds authorized under this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of--

``(A) any activity described in paragraph (1), (2), or (3) of subsection (b) shall not exceed 100 percent; and

``(B) any activity described in subsection (b)(4) shall not exceed 80 percent.''

#### Demonstration Project for Automated Roadway Management System

Pub. L. 95-599, title I, Sec. 154, Nov. 6, 1978, 92 Stat. 2716, provided that:

``(a) The Secretary of Transportation is authorized to carry out a demonstration project of the use of a sophisticated automated roadway management system to increase the capacity and safety of automobile travel in high density travel corridors without providing additional lanes of pavement. The management system shall coordinate the traffic flow in major freeways and arterials servicing the travel corridor by use of an integrated system of vehicle sensors to monitor traffic, computers to assess traffic conditions throughout the corridor, and devices to communicate with drivers, police, and emergency equipment.

``(b) There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund, not to exceed \$1,500,000 for the fiscal year ending September 30, 1979, not to exceed \$2,500,000 for the fiscal year ending September 30, 1980, and not to exceed \$26,000,000 for the fiscal year ending September 30, 1981.

``(c) The Federal share payable on account of any project authorized under this section shall not exceed 90 per centum of the total cost thereof.

``(d) Funds authorized by this section shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under chapter 1 of title 23, United States Code, except

that the Federal share of the cost of any project under this section shall not exceed 90 per centum.''

Traffic Control Signalization Demonstration Projects; Reports to Secretary of Transportation; Report to Congress

Section 146 of Pub. L. 94-280 provided that:

``(a) The Secretary of Transportation is authorized to carry out traffic control signalization demonstration projects designed to demonstrate through the use of technology not now in general use the increased capacity of existing highways, the conservation of fuel, the decrease in traffic congestion, the improvement in air and noise quality, and the furtherance of highway safety, giving priority to those

projects providing coordinated signalization of two or more intersections. Such projects can be carried out on any highway whether on or off a Federal-aid system.

``(b) There is authorized to be appropriated to carry out this section of the Highway Trust Fund, not to exceed \$40,000,000 for the fiscal year ending September 30, 1977, and \$40,000,000 for the fiscal year ending September 30, 1978.

``(c) Each participating State shall report to the Secretary of Transportation not later than September 30, 1977, and not later than September 30 of each year thereafter, on the progress being made in implementing this section and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the benefits resulting from such projects comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such traffic control signalization. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1978, on the progress being made in implementing this section

and an evaluation of the benefits resulting therefrom.''

Authorization of Appropriations

Pub. L. 89-285, title III, Sec. 304, Oct. 22, 1965, 79 Stat. 1033, as amended by Pub. L. 97-449, Sec. 2(a), Jan. 12, 1983, 96 Stat. 2439, provided that: ``There is authorized to be appropriated the sum of \$500,000 to enable the Secretary to carry out his functions under section 135 of title 23 of the United States Code relating to highway safety programs.''