



Public Law 89-564
89th Congress, S. 3052
September 9, 1966

An Act

80 STAT. 731

To provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—HIGHWAY SAFETY

Highway Safety
Act of 1966.
72 Stat. 885.

SEC. 101. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

“Chapter 4.—HIGHWAY SAFETY

“Sec.

“401. Authority of the Secretary.

“402. Highway safety programs.

“403. Highway safety research and development.

“404. National Highway Safety Advisory Committee.

“§ 401. Authority of the Secretary

“The Secretary is authorized and directed to assist and cooperate with other Federal departments and agencies, State and local governments, private industry, and other interested parties, to increase highway safety.

“§ 402. Highway safety programs

“(a) Each State shall have a highway safety program approved by the Secretary, designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom. Such programs shall be in accordance with uniform standards promulgated by the Secretary. Such uniform standards shall be expressed in terms of performance criteria. Such uniform standards shall be promulgated by the Secretary so as to improve driver performance (including, but not limited to, driver education, driver testing to determine proficiency to operate motor vehicles, driver examinations (both physical and mental) and driver licensing) and to improve pedestrian performance. In addition such uniform standards shall include, but not be limited to, provisions for an effective record system of accidents (including injuries and deaths resulting therefrom), accident investigations to determine the probable causes of accidents, injuries, and deaths, vehicle registration, operation, and inspection, highway design and maintenance (including lighting, markings, and surface treatment), traffic control, vehicle codes and laws, surveillance of traffic for detection and correction of high or potentially high accident locations, and emergency services. Such standards as are applicable to State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations. The Secretary shall be authorized to amend or waive standards on a temporary basis for the purpose of evaluating new or different highway safety programs instituted on an experimental, pilot, or demonstration basis by one or more States, where the Secretary finds that the public interest would be served by such amendment or waiver.

Uniform stand-
ards.

“(b) (1) The Secretary shall not approve any State highway safety program under this section which does not—

“(A) provide that the Governor of the State shall be responsible for the administration of the program.

“(B) authorize political subdivisions of such State to carry out local highway safety programs within their jurisdictions as a

part of the State highway safety program if such local highway safety programs are approved by the Governor and are in accordance with the uniform standards of the Secretary promulgated under this section.

"(C) provide that at least 40 per centum of all Federal funds apportioned under this section to such State for any fiscal year will be expended by the political subdivisions of such State in carrying out local highway safety programs authorized in accordance with subparagraph (B) of this paragraph.

"(D) provide that the aggregate expenditure of funds of the State and political subdivisions thereof, exclusive of Federal funds, for highway safety programs will be maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this section.

"(E) provide for comprehensive driver training programs, including (1) the initiation of a State program for driver education in the school systems or for a significant expansion and improvement of such a program already in existence, to be administered by appropriate school officials under the supervision of the Governor as set forth in subparagraph (A) of this paragraph; (2) the training of qualified school instructors and their certification; (3) appropriate regulation of other driver training schools, including licensing of the schools and certification of their instructors; (4) adult driver training programs, and programs for the retraining of selected drivers; and (5) adequate research, development and procurement of practice driving facilities, simulators, and other similar teaching aids for both school and other driver training use.

"(2) The Secretary is authorized to waive the requirement of subparagraph (C) of paragraph (1) of this subsection, in whole or in part, for a fiscal year for any State whenever he determines that there is an insufficient number of local highway safety programs to justify the expenditure in such State of such percentage of Federal funds during such fiscal year.

Use of funds.

"(c) Funds authorized to be appropriated to carry out this section shall be used to aid the States to conduct the highway safety programs approved in accordance with subsection (a), shall be subject to a deduction not to exceed 5 per centum for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned among the several States. For the fiscal years ending June 30, 1967, June 30, 1968, and June 30, 1969, such funds shall be apportioned 75 per centum on the basis of population and 25 per centum as the Secretary in his administrative discretion may deem appropriate and thereafter such funds shall be apportioned as Congress, by law enacted hereafter, shall provide. On or before January 1, 1969, the Secretary shall report to Congress his recommendations with respect to a nondiscretionary formula for apportionment of funds authorized to carry out this section for the fiscal year ending June 30, 1970, and fiscal years thereafter. After December 31, 1968, the Secretary shall not apportion any funds under this subsection to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section. Federal aid highway funds apportioned on or after January 1, 1969, to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, until

such time as such State is implementing an approved highway safety program. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of the preceding sentence to a State. Any amount which is withheld from apportionment to any State under this section shall be reapportioned to the other States in accordance with the applicable provisions of law.

"(d) All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to the Federal-aid systems, shall apply to the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section. In applying such provisions of chapter 1 in carrying out this section the term 'State highway department' as used in such provisions shall mean the Governor of a State for the purposes of this section.

"(e) Uniform standards promulgated by the Secretary to carry out this section shall be developed in cooperation with the States, their political subdivisions, appropriate Federal departments and agencies, and such other public and private organizations as the Secretary deems appropriate.

"(f) The Secretary may make arrangements with other Federal departments and agencies for assistance in the preparation of uniform standards for the highway safety programs contemplated by subsection (a) and in the administration of such programs. Such departments and agencies are directed to cooperate in such preparation and administration, on a reimbursable basis.

"(g) Nothing in this section authorizes the appropriation or expenditure of funds for (1) highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into standards) or (2) any purpose for which funds are authorized by section 403 of this title.

"§ 403. Highway safety research and development

"The Secretary is authorized to use funds appropriated to carry out this section to carry out safety research which he is authorized to conduct by subsection (a) of section 307 of this title. In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for (1) grants to State or local agencies, institutions, and individuals for training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which are deemed by the Secretary to be necessary to carry out the purposes of this section.

"§ 404. National Highway Safety Advisory Committee

"(a) (1) There is established in the Department of Commerce a National Highway Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be chairman, the Federal Highway Administrator, and twenty-nine members appointed by the President, no more than four of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this chapter, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to,

affected by, or concerned with highway safety, and of other public and private agencies, organizations, or groups demonstrating an active interest in highway safety, as well as research scientists and other individuals who are expert in this field.

"(2) (A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: ten at the end of one year after such date, ten at the end of two years after such date, and nine at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor's appointment is effective. None of the members appointed by the President other than Federal officers or employees shall be eligible for reappointment within one year following the end of his preceding term.

Pay.

"(B) Members of the Committee who are not officers or employees of the United States shall, while attending meetings or conferences of such Committee or otherwise engaged in the business of such Committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding \$100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

60 Stat. 808;
75 Stat. 339,
340.

"(b) The National Highway Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department in the field of highway safety. The Committee is authorized (1) to review research projects or programs submitted to or recommended by it in the field of highway safety and recommend to the Secretary, for prosecution under this title, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause and prevention of highway accidents; and (2) to review, prior to issuance, standards proposed to be issued by order of the Secretary under the provisions of section 402(a) of this title and to make recommendations thereon. Such recommendations shall be published in connection with the Secretary's determination or order.

"(c) The National Highway Safety Advisory Committee shall meet from time to time as the Secretary shall direct, but at least once each year.

"(d) The Secretary shall provide to the National Highway Safety Committee from among the personnel and facilities of the Department of Commerce such staff and facilities as are necessary to carry out the functions of such Committee."

Repeal.

SEC. 102. (a) Sections 135 and 313 of title 23 of the United States Code are hereby repealed.

(b) (1) The analysis of chapter 1 of title 23, United States Code, is hereby amended by deleting:

"135. Highway safety programs."

(2) The analysis of chapter 3 of title 23, United States Code, is hereby amended by deleting:

"313. Highway safety conference."

(3) There is hereby added at the end of the table of chapters at the beginning of title 23, United States Code, the following:

"4. Highway safety----- 401".

SEC. 103. Section 307 of title 23, United States Code, is amended (1) by inserting in subsection (a) thereof immediately after "section 104 of this title" the following: ", funds authorized to carry out section 403 of this title," and (2) by adding at the end of such section the following new subsection:

"(d) As used in this section the term 'safety' includes, but is not limited to, highway safety systems, research, and development relating to vehicle, highway, and driver characteristics, accident investigations, communications, emergency medical care, and transportation of the injured." "Safety."

SEC. 104. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated the sum of \$67,000,000 for the fiscal year ending June 30, 1967; \$100,000,000 for the fiscal year ending June 30, 1968; and \$100,000,000 for the fiscal year ending June 30, 1969. Appropriations.

SEC. 105. For the purpose of carrying out sections 307(a) and 403 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of \$10,000,000 for the fiscal year ending June 30, 1967; \$20,000,000 for the fiscal year ending June 30, 1968; and \$25,000,000 for the fiscal year ending June 30, 1969.

SEC. 106. All facts contained in any report of any Federal department or agency or any officer, employee, or agent thereof, relating to any highway traffic accident or the investigation thereof conducted pursuant to chapter 4 of title 23 of the United States Code shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident, and any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigation. Any such report shall be made available to the public in a manner which does not identify individuals. All completed reports on research projects, demonstration projects, and other related activities conducted under sections 307 and 403 of title 23, United States Code, shall be made available to the public in a manner which does not identify individuals. Reports of highway traffic accidents.

TITLE II—ADMINISTRATION AND REPORTING

SEC. 201. The Secretary shall carry out the provisions of the Highway Safety Act of 1966 (including chapter 4 of title 23 of the United States Code) through a National Highway Safety Agency (hereinafter referred to as the "Agency"), which he shall establish in the Department of Commerce. The Agency shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at the rate prescribed for level V of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964. The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness to discharge efficiently the powers and the duties delegated to him. The Administrator shall have National Highway Safety Agency. 78 Stat. 419. 5 USC 2211.

no pecuniary interest in or own any stock in or bonds of any enterprise involved in (1) manufacturing motor vehicles or motor vehicle equipment, or (2) constructing highways, nor shall he engage in any other business, vocation, or employment. The Administrator shall perform such duties as are delegated to him by the Secretary. On highway matters the Administrator shall consult with the Federal Highway Administrator. The President is authorized to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 through the Agency and Administrator authorized by this section.

Ante, p. 718.

Report to President and Congress.

SEC. 202. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of the Highway Safety Act of 1966 (including chapter 4 of title 23 of the United States Code) for the preceding calendar year. Such report should include but not be restricted to (1) a thorough statistical compilation of the accidents and injuries occurring in such year; (2) a list of all safety standards issued or in effect in such year; (3) the scope of observance of applicable Federal standards; (4) a statement of enforcement actions including judicial decisions, settlements, or pending litigation during the year; (5) a summary of all current research grants and contracts together with a description of the problems to be considered by such grants and contracts; (6) an analysis and evaluation of completed research activities and technological progress achieved during such year together with the relevant policy recommendations flowing therefrom; (7) the effectiveness of State highway safety programs (including local highway safety programs) and (8) the extent to which technical information was being disseminated to the scientific community and consumer-oriented material was made available to the motoring public.

Recommendations for additional legislation.

(b) The annual report shall also contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of highway safety and to strengthen the national highway safety program.

Report to Congress.

SEC. 203. The Secretary of Commerce shall report to Congress, not later than July 1, 1967, all standards to be initially applied in carrying out section 402 of title 23 of the United States Code.

Effect of alcohol on highway safety and drivers, study.

SEC. 204. The Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effect upon highway safety and drivers of motor vehicles, in consultation with such other government and private agencies as may be necessary. Such study shall cover review and evaluation of State and local laws and enforcement methods and procedures relating to driving under the influence of alcohol, State and local programs for the treatment of alcoholism, and such other aspects of this overall problem as may be useful. The results of this study shall be reported to the Congress by the Secretary on or before July 1, 1967, and shall include recommendations for legislation if warranted.

SEC. 205. The Federal Highway Administrator and any other officer who may subsequent to the date of enactment of this Act become the operating head of the Bureau of Public Roads shall receive compensation at the rate prescribed for level IV of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964.

78 Stat. 419.
5 USC 2211.

SEC. 206. Section 105 of title 23, United States Code, is hereby amended by adding the following subsection at the end thereof:

Priority projects.

"(e) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits."

Sec. 207. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968. Estimate of cost.

Sec. 208. This Act may be cited as the "Highway Safety Act of 1966". Short title.

Approved September 9, 1966, 1:11 p.m.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1700 accompanying H. R. 13290 (Comm. on Public Works) and No. 1920 (Comm. of Conference).

SENATE REPORT No. 1302 (Comm. on Public Works).

CONGRESSIONAL RECORD, Vol. 112 (1966):

June 24: Considered and passed Senate.

June 27: Reconsidered and passed Senate.

Aug. 18: Considered and passed House, amended, in lieu of H. R. 13290.

Aug. 31: House agreed to conference report.

Sept. 1: Senate adopted conference report.



Public Law 90-150
90th Congress, S. 1552
November 24, 1967

An Act

To amend the Highway Safety Act of 1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404 of the Highway Safety Act (23 U.S.C. 401 et seq.) is amended by—

Highway Safety
Act of 1966
amendment.
80 Stat. 733.

(1) striking subsection (a) (1) thereof and inserting in lieu thereof the following:

Advisory
Committee.

“(a) (1) There is established in the Department of Transportation a National Highway Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be Chairman, the Federal Highway Administrator, and thirty-five members appointed by the President, no more than four of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this chapter, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to, affected by, or concerned with highway safety, including the national organizations of passenger car, bus, and truck owners, and of other public and private agencies, organizations, or groups demonstrating an active interest in highway safety, as well as research scientists and other individuals who are expert in this field.”

(2) striking subsection (a) (2) (A) and inserting in lieu thereof the following:

“(2) (A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: Twelve at the end of one year after the date such committee members are appointed by the President, twelve at the end of two years after the date such committee members are appointed by the President, and eleven at the end of three years after the date such committee members are appointed, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor's appointment is effective. None of the members appointed by the President who has served a three-year term, other than Federal officers or employees, shall be eligible for reappointment within one year following the end of his preceding term.”

81 STAT. 507
81 STAT. 508

Approved November 24, 1967.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 874 (Comm. on Public Works),
SENATE REPORT No. 581 (Comm. on Public Works),
CONGRESSIONAL RECORD, Vol. 113 (1967):
Oct. 10: Considered and passed Senate.
Nov. 6: Considered and passed House, amended.
Nov. 13: Senate concurred in House amendments.

HIGHWAY SAFETY PROGRAM

80 Stat. 732.

SEC. 13. The fourth sentence of subsection (c) of section 402 of title 23 of the United States Code is amended by striking out "December 31, 1968" and inserting in lieu thereof "December 31, 1969", and the fifth sentence of such subsection is amended by striking out "January 1, 1969" and inserting in lieu thereof "January 1, 1970".

TITLE II

SHORT TITLE

"Highway Safety Act of 1970,"

SEC. 201. This title may be cited as the "Highway Safety Act of 1970".

HIGHWAY SAFETY

SEC. 202. (a) Section 201 of the Highway Safety Act of 1966 (80 Stat. 735) is amended to read as follows:

23 USC 401
note.
National Highway Traffic Safety Administration, establishment.
80 Stat. 460;
83 Stat. 864.

"SEC. 201. (a) There is hereby established within the Department of Transportation a National Highway Traffic Safety Administration (hereafter in this section referred to as the 'Administration'). The Administration shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the annual rate of basic pay of level III of the Executive Schedule in section 5314 of title 5, United States Code. There shall be a Deputy Administrator of the National Highway Traffic Safety Administration who shall be appointed by the Secretary of Transportation, with the approval of the President, and who shall be compensated at the annual rate of basic pay of level V of the Executive Schedule in section 5316 of title 5, United States Code. The Administrator shall perform such duties as are delegated to him by the Secretary. On all matters pertaining to the design, construction, maintenance, and operation of highways, the Administrator shall consult with the Federal Highway Administrator.

December 31, 1970 - 27 -

Pub. Law 91-605

84 STAT. 1740

"(b) (1) The Secretary shall carry out through the Federal Highway Administration those provisions of the Highway Safety Act of 1966 (including chapter 4 of title 23, United States Code) for highway safety programs, research, and development relating to highway design, construction and maintenance, traffic control devices, identification and surveillance of accident locations, and highway-related aspects of pedestrian safety.

80 Stat. 731.
23 USC 401
note.

"(2) The Secretary shall carry out, through the Administration, all other provisions of such Act (including chapter 4 of title 23, United States Code) for highway safety programs, research and development not specifically referred to in paragraph (1) of this subsection.

"(c) The Secretary is authorized to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) through the Administration and Administrator authorized by this section.

15 USC 1381
note.

"(d) All provisions of law enacted before the date of enactment of the Highway Safety Act of 1970 which are inconsistent with this section as amended by such Act of 1970 are hereby repealed to the extent of such inconsistency."

Repeal.

(b) The President may authorize any person who immediately before the date of enactment of this Act held the office of Director of the National Highway Safety Bureau to act as Administrator of the National Highway Traffic Safety Administration created by the amendment made by subsection (a) of this section until the first Administrator is appointed in accordance with such amendment. The President may authorize any person serving as Acting Administrator in accordance with this subsection to receive compensation at the rate authorized for the office of Administrator. Such compensation, if authorized, shall be in lieu of, and not in addition to, any other compensation from the United States to which such person may be entitled.

(c) Subsection (c) of section 402 of title 23, United States Code, is amended by striking out beginning in the second sentence thereof "as Congress, by law enacted hereafter," and all that follows down through and including the period at the end of the third sentence thereof and inserting in lieu thereof the following: "75 per centum in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, and 25 per centum in the ratio which the public road mileage in each State bears to the total public road mileage in all States. For the purposes of this subsection, a 'public road' means any road under the jurisdiction of and maintained by a public authority and open to public travel. The annual apportionment to each State shall not be less than one-third of 1 per centum of the total apportionment."

82 Stat. 822.

"Public road."

(d) The first sentence of subsection (d) of section 402 of title 23, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and except that the aggregate of all expenditures made during any fiscal year by a State and its political subdivisions (exclusive of Federal funds) for carrying out the State highway safety program shall be available for the purpose of crediting such State during such fiscal year for the non-Federal share of the cost of any project under this section without regard to whether such expenditures were actually made in connection with such project."

(e) Section 402 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(h) Except in the case of those State safety program elements with respect to which uniform standards have been promulgated by the Secretary before December 31, 1970, the Secretary shall not promulgate any other uniform safety standard under this section unless

Uniform safety standards, prior submission to Congress.

at least 90 days prior to the effective date of such standard he shall have submitted such standard to Congress."

Appropriation.

80 Stat. 731;

82 Stat. 822;

Ante, p. 1740.

(f) The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs) by the National Highway Traffic Safety Administration, \$75,000,000 for the fiscal year ending June 30, 1972, and \$100,000,000 for the fiscal year ending June 30, 1973, except that two-thirds of all funds authorized and expended under authority of this paragraph for such section 402 in any fiscal year shall be appropriated out of the Highway Trust Fund.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, \$70,000,000 for the fiscal year ending June 30, 1972, and \$115,000,000 for the fiscal year ending June 30, 1973, except that two-thirds of all funds authorized and expended under authority of this paragraph for such section 403 in any fiscal year shall be appropriated out of the Highway Trust Fund.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration for each of the fiscal years ending June 30, 1972, and June 30, 1973, \$30,000,000 per fiscal year, except that two-thirds of all funds authorized and expended under authority of this paragraph for such section 402 in any fiscal year shall be appropriated out of the Highway Trust Fund.

84 STAT. 1741

72 Stat. 913;
Ante, p. 1723.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, for each of the fiscal years ending June 30, 1972, and June 30, 1973, not to exceed \$10,000,000 per fiscal year, except that two-thirds of all funds authorized and expended under authority of this paragraph for such sections 307(a) and 403 in any fiscal year shall be appropriated out of the Highway Trust Fund.

Repeal.
82 Stat. 817.

(5) Paragraph (10) of section 5 of the Federal-Aid Highway Act of 1968 (relating to authorizations for carrying out section 402 of title 23, United States Code), is hereby repealed.

HIGHWAY SAFETY PROGRAMS

SEC. 203. (a) Section 402(b)(1)(A) of title 23, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "through a State agency which shall have adequate powers, and be suitably equipped and organized to carry out, to the satisfaction of the Secretary, such program."

Effective
date.

(b) The amendment made by subsection (a) of this section shall take effect December 31, 1971.

TITLE II

SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1973".

HIGHWAY SAFETY

Appropriation.

Post, p. 290.

SEC. 202. The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, \$100,000,000 for the fiscal year ending June 30, 1974, \$125,000,000 for

the fiscal year ending June 30, 1975, and \$150,000,000 for the fiscal year ending June 30, 1976.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, \$42,500,000 for the fiscal year ending June 30, 1974, \$55,000,000 for the fiscal year ending June 30, 1975, and \$65,000,000 for the fiscal year ending June 30, 1976.

Post, p. 286.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, \$25,000,000 for the fiscal year ending June 30, 1974, \$30,000,000 for the fiscal year ending June 30, 1975, and \$35,000,000 for the fiscal year ending June 30, 1976.

Post, p. 290.

(4) For carrying out sections 307 (a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, not to exceed \$10,000,000 per fiscal year.

72 Stat. 913;
84 Stat. 1723.

RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) Each State shall conduct and systematically maintain a survey of all highways to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum, such a schedule shall provide signs for all railroad-highway crossings.

State survey.

Signs.

(b) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated out of the Highway Trust Fund for projects for the elimination of hazards of railway-highway crossings \$25,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976. At least half of the funds authorized and expended under this section shall be available for the installation of protective devices at railway-highway crossings. Such sums shall be available for obligation in the same manner, and to the same extent as if such funds were apportioned under this chapter.

Hazard elimination, additional appropriation.
72 Stat. 903.

Protective devices.

(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System).

Funds, restriction.

(d) 50 percent of the funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under subsection (a) (1) of section 104 of the Federal-Aid Highway Act of 1973 and 50 percent of the funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under subsection (a) (2) of section 104 of the Federal-Aid Highway Act of 1973. The Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

State apportionment

Appe, p. 251.

(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement the railroad-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1, of each year thereafter.

Report to Secretary of Transportation.

Report to Congress.

August 13, 1973

Matching
funds.

on the progress being made by the States in implementing projects to improve railroad-highway crossings. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, 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 recommendation for future implementation of the railroad-highway crossings program.

(f) Funds authorized by this section may be used to provide local government with funds to be used on a matching basis when State funds are available which may only be spent when local government produces matching funds for the improvement of railroad crossings.

BRIDGE RECONSTRUCTION AND REPLACEMENT

84 Stat. 1741.

Funds,
restriction.

SEC. 204. (a) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972."; by inserting immediately after "1973." the following: "\$25,000,000 for the fiscal year ending June 30, 1974, \$75,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976".

(b) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system."

(c) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

PAVEMENT MARKING DEMONSTRATION PROGRAM

Arts, P. 277.

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

§ 151. Pavement marking demonstration program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1974, \$25,000,000, and for each of the fiscal years ending June 30, 1975, and June 30,

72 Stat. 891.
23 USC 105.

Appropriation.

1976, out of the Highway Trust Fund, the sum of \$75,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(f) Funds not required for pavement-marking projects authorized by this section may be released by the Secretary for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator for carrying out this program.

Released funds.

Condition..

"(g) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the number, rate, and severity of accidents at improved locations and the cost-benefit ratio of such improvements, comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such pavement markings. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made in implementing the program and the safety benefits achieved under it."

Report to Secretary of Transportation.

Report to Congress.

(b) The analysis of chapter 1 of title 23, United States Code is amended by adding at the end thereof the following:

"151. Pavement marking demonstration program."

PAVEMENT MARKING RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs to improve the effectiveness and durability of various types of pavement markings and related delineators, to develop improved equipment and techniques for applying, erecting, and maintaining such markings and delineators, and to develop new traffic control materials, devices, and related delineators to assist the traveling public during adverse weather and nighttime driving conditions.

72 Stat 913; 84 Stat. 1723.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, \$10,000,000 for the fiscal year ending June 30, 1974, and \$10,000,000 for the fiscal year ending June 30, 1975.

Appropriation.

HIGHWAY SAFETY ON INDIAN RESERVATIONS

SEC. 207. (a) Section 402 of title 23 of the United States Code is amended by adding a new subsection (i) as follows:

80 Stat. 731; 84 Stat. 1740.

"(i) For the purpose of the application of this section on Indian reservations, 'State' and 'Governor of a State' includes the Secretary of the Interior and 'political subdivision of a State' includes an Indian tribe: *Provided*, That, notwithstanding the provisions of subparagraph (C) of subsection (b) (1) hereof, 95 per centum of the funds apportioned to the Secretary of the Interior after date of enactment, shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions: *And provided further*, That the provisions of subparagraph (E) of subsection (b) (1) hereof shall be

Post, p. 294.

applicable except in those tribal jurisdictions in which the Secretary determines such programs would not be practicable."

80 Stat. 731;
84 Stat. 1740.

(b) Subsection (d) of section 402 of title 23, United States Code, is amended by inserting before the period at the end of the first sentence thereof the following: "and except that, in the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary".

DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

80 Stat 733.

Sec. 208. (a) Section 403 of title 23, United States Code, is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsections:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

"(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

Appropriation.

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of \$10,000,000 per fiscal year for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976.

PROJECTS FOR HIGH-HAZARD LOCATIONS

Ante, p. 284.

Sec. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 152. Projects for high-hazard locations

Engineering survey.

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify high-hazard locations which may constitute a danger to vehicles and to pedestrians, assign priorities for the correction of such locations, and establish and implement a schedule of projects for their improvement.

Appropriation.

"(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated, out of the Highway Trust Fund, for the fiscal year ending June 30, 1974, \$50,000,000, and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of \$75,000,000 shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa.

Funds, restriction.

"(d) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

Post, p. 290.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement projects for high-hazard locations 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 Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects for improvements at high-hazard locations. 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 spot improvements program."

Report to Secretary of Transportation.

Report to Congress.

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"152. Projects for high-hazard locations."

PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

SEC. 210. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

Ante, p. 286.

"§ 153. Program for the elimination of roadside obstacles

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify roadside obstacles which may constitute a hazard to vehicles and to pedestrians, assign priorities for the correction of such obstacles and establish and implement a schedule of projects for their elimination. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, where appropriate, on all new construction or reconstruction of highways.

Engineering survey.

"(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated, out of the Highway Trust Fund, for the fiscal year ending June 30, 1974, \$25,000,000, and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of \$75,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

Appropriation.

"(c) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa.

Funds, restriction.

Report to
Secretary of
Transportation.

Report to
Congress.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall be 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program for the removal of roadside obstacles and the effectiveness of such improvements. Each report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in eliminating roadside obstacles and the effectiveness of the improvements made under this program. The Secretary's report shall include, but not be limited to, an analysis and evaluation of each State program, identification of any State found not to be in compliance with the schedule of improvements required by subsection (a) and shall include recommendations for future implementation of the roadside obstacle removal program. In addition, to assess the safety benefits of varying roadside obstacle treatments, the report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"153. Program for the elimination of roadside obstacles."

HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

SEC. 211. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media for informing and educating the public of ways and means for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

Report to
Congress.

Appropriation.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of \$1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation, in consultation with State and local highway safety officials, shall develop a series of highway safety television programs of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934. At least 50 per centum of the funds authorized and expended under subsection (d) of this section shall be allocated to the States at the discretion of the Secretary for approved programing projects. To the maximum extent feasible, the services of private individuals shall be utilized in carrying out this subsection.

Appropriation.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of \$4,000,000 out of the Highway Trust Fund.

CITIZEN PARTICIPATION STUDY

Sec. 212. (a) The Secretary of Transportation, in cooperation with State and local highway safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on traffic enforcement and accident detection, response, and reporting, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies and highway rescue agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purposes of carrying out this section, there is authorized to be appropriated the sum of \$1,000,000 out of the Highway Trust Fund.

Report to
Congress.
Appropriation.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF HIGHWAY OPERATIONS

Sec. 213. (a) The Secretary of Transportation shall make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include, but not be limited to, an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein, the methods to be used for its evaluation and the criteria needed to assure its proper utilization by appropriate public and private agencies and groups. The Secretary shall report to the Congress his findings and recommendations not later than January 1, 1975.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of \$5,000,000 out of the Highway Trust Fund.

Report to
Congress.
Appropriation.

PEDESTRIAN AND BICYCLE SAFETY STUDY

Sec. 214. (a) The Secretary of Transportation shall make a full and complete investigation and study of pedestrian and bicycle safety. Such an investigation and study shall include, but not be limited to, the following:

(1) A review and evaluation of State and local ordinances, regulations, and laws and the enforcement policies, procedures, methods, practices, and capabilities for enforcing them.

(2) The relationship between alcohol and pedestrian and bicycle safety, with special emphasis on problem drinkers, both drivers and pedestrians.

(3) An evaluation of ways and means of improving pedestrian and bicycle safety programs.

(4) An analysis of present funding allocations for pedestrian and bicycle safety programs and an assessment of the capabilities of Federal, State, and local governments to fund such activities and programs.

In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States, and their political subdivisions, and other interested private organizations, groups, and individuals.

(b) The Secretary shall, not later than January 31, 1975, report to the Congress the results of this investigation and study together with his conclusions and recommendations for appropriate legislation.

Report to
Congress.

Appropriation.

(c) There is hereby authorized not to exceed \$5,000,000 from the Highway Trust Fund to carry out this section.

MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

80 Stat. 731.

SEC. 215. The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after "approved in accordance with subsection (a)," the following: "including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom. Such funds".

PUBLIC ROAD MILEAGE

84 Stat. 1740.

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary."

MINIMUM APPORTIONMENT

SEC. 217. Subsection (c) of section 402 of title 23, United States Code, is amended by striking "one-third of 1 per centum" in the fifth sentence thereof, and inserting "one-half of 1 per centum".

HIGHWAY SAFETY PROGRAM APPLICABILITY

80 Stat. 731.
"State."

SEC. 218. Section 401, title 23, United States Code, is amended by adding at the end thereof the following: "For the purposes of this chapter, the term 'State' means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriated."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY PROGRAMS

Ante, p. 285.

SEC. 219. Section 402 of title 23, United States Code, is amended by adding the following new subsection:

Incentive grants.

"(j) (1) In addition to other grants authorized by this section, the Secretary may make incentive grants in each fiscal year to those States which have adopted legislation requiring the use of seatbelts in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed \$25,000,000 for the fiscal year ending June 30, 1974, not to exceed \$32,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$37,500,000 for the fiscal year ending June 30, 1976.

Appropriation.

Additional grants.

"(2) In addition to other grants authorized by this section, the Secretary may make additional incentive grants to those States which have made the most significant progress in reducing traffic fatalities based on the reduction in the rate of such fatalities per one hundred million-vehicle miles during the calendar year immediately preceding the fiscal year for which such incentive funds are authorized compared with the average annual rate of such fatalities for the four calendar

year period preceding such calendar year. Such incentive grants shall be made in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed \$12,500,000 for the fiscal year ending June 30, 1974, not to exceed \$16,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$19,000,000 for the fiscal year ending June 30, 1976.

Appropriation.

"(3) Incentive awards authorized by this section shall not exceed 25 per centum of each State's apportionment as authorized by this chapter."

Limitation.

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 220. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: "In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which the Secretary deems will promote the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel."

Ante, p. 286.

TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 221. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section."

Ante, p. 290.

ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS

SEC. 222. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

Supra.

"(e) In addition to the research authorized by subsection (a) of this section, the Secretary shall, either independently or in cooperation with other Federal departments or agencies, conduct research into, and make grants to or contracts with State or local agencies, institutions, and individuals for projects to demonstrate the administrative adjudication of traffic infractions. Such administrative adjudication demonstration projects shall be designed to improve highway safety by developing fair, efficient, and effective processes and procedures for traffic infraction adjudication, utilizing appropriate punishment, training, and rehabilitative measures for traffic offenders. The Secretary shall report to Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research and demonstration projects authorized by this subsection, and shall include in such report a comparison of the fairness, efficiency, and effectiveness of administrative adjudication of traffic infractions with other methods of handling such infractions."

Report to Congress.

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

81 Stat. 507. SEC. 223. Subsection (a) (1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

DATE OF ANNUAL REPORT

23 USC 401 note. SEC. 224. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

HIGHWAY SAFETY NEEDS STUDY

72 Stat. 885.
23 USC 101
et seq.
Estimates and recommendations, submittal to Congress.
Ante, p. 291.

SEC. 225. In order to provide the basis for evaluating the continuing highway safety programs authorized in title 23, United States Code, and to furnish Congress with the information necessary for the authorization of appropriations for such programs, the Secretary of Transportation, in cooperation with the Governors and appropriate State and local highway officials, shall make a full and complete study of highway safety needs and shall prepare recommendations and estimates of the costs for meeting such needs. Such estimates and recommendations shall identify the requirements to meet highway safety needs of the States, Puerto Rico, and the District of Columbia and would also consider those of Guam, American Samoa, the Virgin Islands and such other United States territories as the Secretary shall determine. The Secretary shall submit such detailed estimates and recommendations to the Congress not later than January 10, 1976.

DRIVER EDUCATION EVALUATION PROGRAM

Report to Congress.
Appropriation.

SEC. 226. (a) Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:
"(f) In addition to the research authorized by subsection (a) of this section, the Secretary shall carry out research, development, and demonstration projects to improve and evaluate the effectiveness of various types of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. The research, development, and demonstration projects authorized by this subsection may be carried out by the Secretary through grants and contracts with public and private agencies, institutions, and individuals. The Secretary shall report to the Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research, development, and demonstration projects authorized by this subsection, and shall include in such report an evaluation of the effectiveness of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom."
(b) For the purpose of carrying out the amendment made by subsection (a) of this section, there is authorized to be appropriated \$10,000,000 out of the Highway Trust Fund.

TRANSFER OF FUNDS AMONG HIGHWAY SAFETY PROGRAMS

Ante, p. 257.
84 Stat. 1741;
Ante, pp. 286,
287, 283.

SEC. 227. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:
"(g) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203 (d) of the Highway Safety Act of 1973,

may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met."

CURB RAMPS FOR THE HANDICAPPED

SEC. 228. Paragraph (1) of subsection (b) of section 402 of title 23, United States Code, is amended by adding at the end thereof the following: 80 Stat. 731.

"(F) provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State."

HIGHWAY SAFETY STANDARDS

SEC. 229. Subsection (h) of section 402 of title 23, United States Code, is amended to read as follows: 84 Stat. 1740.

"(h) Each uniform safety standard promulgated under this section on or before July 1, 1973, shall continue in effect unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973. The Secretary shall not promulgate any other uniform safety standard under this section (including by revision of a standard continued in effect by the preceding sentence) unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973."

FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM

SEC. 230. (a) Chapter 4 of title 23, United States Code, is amended by adding at the end thereof the following new section: 80 Stat. 731.
23 USC 401.

"§ 405. Federal-aid safer roads demonstration program

"(a) The Federal-aid safer roads demonstration program shall consist of all public roads or segments thereof not on a Federal-aid system needing improvements to correct safety hazards selected or designated by each State subject to the approval of the Secretary.

"(b) Not later than June 30, 1974, each State shall identify projects for the Federal-aid safer roads demonstration program for all public roads in such State not on the Federal-aid system, including projects to improve highway marking and signing, to eliminate roadside obstacles, to eliminate hazards at railroad-highway grade crossings, and to correct high-hazard locations, identified by accident reporting, traffic records and hazards analysis systems established in accordance with standards promulgated under subsection (a) of section 402 of this title. Each State shall assign priorities for and undertake the systematic correction of identified hazards, to provide for the most effective improvement in highway safety. Post, p. 254.

"(c) There is authorized to be appropriated for the Federal-aid safer roads demonstration program for projects on public roads not on the Federal-aid system for the removal of roadside obstacles, the elimination of hazards at railroad-highway grade crossings, and the proper marking and signing of highways in accordance with subsec- Appropriation.

Ante, p. 290.

tion (b) of this section, out of the Highway Trust Fund, \$50,000,000 for the fiscal year ending June 30, 1974, and \$100,000,000 per fiscal year for each of the fiscal years ending June 30, 1975, and June 30, 1976. Such sums shall be apportioned among the States in accordance with the formula established under subsection (c) of section 402 of this title. The Federal share payable on account of any such project shall be 90 per centum of the cost thereof. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure for Federal-aid primary highway funds shall apply to funds apportioned to carry out this subsection. Prior to June 30, 1974, funds shall be available for such projects as determined by the State, subject to the approval of the Secretary.

"(d) For the purposes of this section, the term 'public road' means any road under the jurisdiction of and maintained by a public authority and open to public travel and which is not on a Federal-aid system.

"(e) It shall be the responsibility of each State to maintain adequate pavement markings on any public road marked with funds available under this section in such State.

"(f) In any State wherein the State is without legal authority to construct or maintain a project under this section, such State shall enter into a formal agreement for such construction or maintenance with the appropriate local officials of the county or municipality in which such project is located.

"(g) In carrying out the Federal-aid safer roads demonstration program authorized by this section, the Secretary shall coordinate such program with the programs and projects authorized in sections 144, 152, and 153, of this title and section 203(d) of the Highway Safety Act of 1973.

"(h) The Secretary shall file an interim report with the Congress on January 1, 1975, concerning the progress being made under the demonstration program authorized by this section and its effectiveness. The Secretary shall report to Congress on or before January 1, 1976, a comprehensive report on the program authorized by this section. Such reports shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, roads system, means and methods used, and previous and subsequent accident experience at improved locations. In addition such reports shall analyze and evaluate the program State by State, and shall include such recommendations as he determines necessary for the further implementation of this program."

(b) The table of contents of chapter 4 of title 23, United States Code, is amended by adding at the end thereof:

"405. Federal-aid safer roads demonstration program."

BICYCLE SAFETY

80 Stat. 731.

SEC. 231. (a) The fourth sentence of subsection (a) of section 402 of title 23, United States Code, is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and bicycle safety."

(b) Paragraph (b) (1) (E) of section 402 of title 23, United States Code, is amended by striking out "and" before "(5)" and by striking out the period at the end of such paragraph and inserting in lieu thereof a comma and the following: "and (6) driver education programs, including research, that will assure greater safety for bicyclists using public roads in such State."

84 Stat. 1741;
Ante, pp. 286,
287.

Ante, p. 283.
Reports to
Congress.