

provements in countries that are not members of the Organization for Economic Cooperation and Development, as of December 18, 1991, and in Greece and Turkey; and

(6) gathering and disseminating information on foreign transportation markets and industries.

(c) COOPERATION.—The Secretary may carry out this section in cooperation with any appropriate Federal agency, State or local agency, authority, association, institution, corporation (profit or nonprofit), foreign government, multinational institution, or other organization or person.

(d) FUNDS.—

(1) CONTRIBUTIONS.—Funds available to carry out this section shall include funds deposited by any cooperating organization or person into a special account of the Treasury established for this purpose.

(2) ELIGIBLE USES OF FUNDS.—The funds deposited into the account and other funds available to carry out this section shall be available to cover the cost of any activity eligible under this section, including the cost of promotional materials, travel, reception and representation expenses, and salaries and benefits.

(3) REIMBURSEMENTS FOR SALARIES AND BENEFITS.—Reimbursements for salaries and benefits of Department of Transportation employees providing services under this section shall be credited to the account.

(e) ELIGIBLE USE OF STATE PLANNING AND RESEARCH FUNDS.—A State, in coordination with the Secretary, may obligate funds made available to carry out section 505 for any activity authorized under subsection (a).

(Added Pub. L. 105-178, title V, §5106, June 9, 1998, 112 Stat. 433.)

#### PRIOR PROVISIONS

A prior section 506, added Pub. L. 90-495, §30, Aug. 23, 1968, 82 Stat. 832; amended Pub. L. 91-605, title I, §137, Dec. 31, 1970, 84 Stat. 1735, related to replacement housing, prior to repeal by Pub. L. 91-646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

### § 507. Surface transportation-environment cooperative research program

(a) IN GENERAL.—The Secretary shall establish and carry out a surface transportation-environment cooperative research program.

(b) CONTENTS.—The program to be carried out under this section shall include research designed—

(1) to develop more accurate models for evaluating transportation control measures and transportation system designs that are appropriate for use by State and local governments, including metropolitan planning organizations, in designing implementation plans to meet Federal, State, and local environmental requirements;

(2) to improve understanding of the factors that contribute to the demand for transportation, including transportation system design, demographic change, land use planning, and communications and other information technologies;

(3) to develop indicators of economic, social, and environmental performance of transportation systems to facilitate analysis of potential alternatives;

(4) to study the relationship between highway density and ecosystem integrity, including the impacts of highway density on habitat integrity and overall ecosystem health, and develop a rapid assessment methodology for use by transportation and regulatory agencies in determining the relationship between highway density and ecosystem integrity; and

(5) to meet additional priorities as determined by the advisory board established under subsection (c), including recommendations of the National Research Council in the report entitled “Environmental Research Needs in Transportation”.

(c) ADVISORY BOARD.—

(1) ESTABLISHMENT.—In consultation with the Secretary of Energy, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal departments and agencies, the Secretary shall establish an advisory board to recommend environmental and energy conservation research, technology, and technology transfer activities related to surface transportation.

(2) MEMBERSHIP.—The advisory board shall include—

(A) representatives of State transportation and environmental agencies;

(B) transportation and environmental scientists and engineers; and

(C) representatives of metropolitan planning organizations, transit operating agencies, and environmental organizations.

(d) NATIONAL ACADEMY OF SCIENCES.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such activities relating to the research, technology, and technology transfer activities described in subsection (b) as the Secretary determines appropriate.

(Added Pub. L. 105-178, title V, §5107, June 9, 1998, 112 Stat. 434.)

#### PRIOR PROVISIONS

A prior section 507, added Pub. L. 90-495, §30, Aug. 23, 1968, 82 Stat. 832, related to expenses incidental to transfer of property, prior to repeal by Pub. L. 91-646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

#### TERMINATION OF ADVISORY BOARDS

Advisory boards established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

### § 508. Surface transportation research strategic planning

(a) IN GENERAL.—The Secretary shall—

(1) establish a strategic planning process, consistent with section 306 of title 5 for the

Department of Transportation to determine national transportation research and technology development priorities related to surface transportation;

(2) coordinate Federal surface transportation research and technology development activities;

(3) measure the results of those activities and how they impact the performance of the surface transportation systems of the United States; and

(4) ensure that planning and reporting activities carried out under this section are coordinated with all other surface transportation planning and reporting requirements.

(b) IMPLEMENTATION.—The Secretary shall—

(1) provide for the integrated planning, coordination, and consultation among the operating administrations of the Department of Transportation, all other Federal agencies with responsibility for surface transportation research and technology development, State and local governments, institutions of higher education, industry, and other private and public sector organizations engaged in surface transportation-related research and development activities;

(2) ensure that the surface transportation research and technology development programs of the Department do not duplicate other Federal, State, or private sector research and development programs; and

(3) provide for independent validation of the scientific and technical assumptions underlying the surface transportation research and technology development programs of the Department.

(c) SURFACE TRANSPORTATION RESEARCH AND TECHNOLOGY DEVELOPMENT STRATEGIC PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop an integrated surface transportation research and technology development strategic plan.

(2) CONTENTS.—The plan shall include—

(A) an identification of the general goals and objectives of the Department of Transportation for surface transportation research and development;

(B) a description of the roles of the Department and other Federal agencies in achieving the goals identified under subparagraph (A), in order to avoid unnecessary duplication of effort;

(C) a description of the overall strategy of the Department, and the role of each of the operating administrations of the Department, in carrying out the plan over the next 5 years, including a description of procedures for coordination of the efforts of the Secretary with the efforts of the operating administrations of the Department and other Federal agencies;

(D) an assessment of how State and local research and technology development activities are contributing to the achievement of the goals identified under subparagraph (A);

(E) details of the surface transportation research and technology development programs of the Department, including performance goals, resources needed to achieve

those goals, and performance indicators as described in section 1115(a) of title 31, United States Code, for the next 5 years for each area of research and technology development;

(F) significant comments on the plan obtained from outside sources; and

(G) responses to significant comments obtained from the National Research Council and other advisory bodies, and a description of any corrective actions taken pursuant to such comments.

(3) NATIONAL RESEARCH COUNCIL REVIEW.—The Secretary shall enter into an agreement for the review by the National Research Council of the details of each—

(A) strategic plan or revision required under section 306 of title 5;

(B) performance plan required under section 1115 of title 31; and

(C) program performance report required under section 1116,

with respect to surface transportation research and technology development.

(4) PERFORMANCE PLANS AND REPORTS.—In reports submitted under sections 1115 and 1116 of title 31, the Secretary shall include—

(A) a summary of the results for the previous fiscal year of surface transportation research and technology development programs to which the Department of Transportation contributes, along with—

(i) an analysis of the relationship between those results and the goals identified under paragraph (2)(A); and

(ii) a description of the methodology used for assessing the results; and

(B) a description of significant surface transportation research and technology development initiatives, if any, undertaken during the previous fiscal year that were not in the plan developed under paragraph (1), and any significant changes in the plan from the previous year's plan.

(d) MERIT REVIEW AND PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall transmit to Congress a report describing competitive merit review procedures for use in selecting grantees and contractors in the programs covered by the plan developed under subsection (c) and performance measurement procedures for evaluating the programs.

(e) PROCUREMENT PROCEDURES.—The Secretary shall—

(1) develop model procurement procedures that encourage the use of advanced technologies; and

(2) develop model transactions for carrying out and coordinating Federal and State surface transportation research and technology development activities.

(f) CONSISTENCY WITH GOVERNMENT PERFORMANCE AND RESULTS ACT OF 1993.—The plans and reports developed under this section shall be consistent with and incorporated as part of the plans developed under section 306 of title 5 and sections 1115 and 1116 of title 31.

(Added Pub. L. 105-178, title V, §5108, June 9, 1998, 112 Stat. 435.)

## REFERENCES IN TEXT

Section 1116, referred to in subsec. (c)(3)(C), probably is a reference to section 1116 of Title 31, Money and Finance. No section 1116 of this title has been enacted.

The date of enactment of this section, referred to in subsec. (d), is the date of enactment of Pub. L. 105-178, which was approved June 9, 1998.

The Government Performance and Results Act of 1993, referred to in subsec. (f), is Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 285, which enacted sections 1115 to 1119, 9703, and 9704 of Title 31, Money and Finance, section 306 of Title 5, Government Organization and Employees, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of Title 31, and enacted provisions set out as notes under sections 1101 and 1115 of Title 31. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of Title 31 and Tables.

## PRIOR PROVISIONS

Sections 508 to 512 of this title were repealed by Pub. L. 91-646, title II, § 220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

Section 508, added Pub. L. 90-495, § 30, Aug. 23, 1968, 82 Stat. 833, related to highway relocation services.

Section 509, added Pub. L. 90-495, § 30, Aug. 23, 1968, 82 Stat. 833, related to relocation assistance programs on Federal highway projects.

Section 510, added Pub. L. 91-605, title I, § 117(b), Dec. 31, 1970, 84 Stat. 1724, related to construction of replacement housing.

Section 511, formerly 510, added Pub. L. 90-495, § 30, Aug. 23, 1968, 82 Stat. 834; renumbered § 511, Pub. L. 91-605, title I, § 117(a), Dec. 31, 1970, 84 Stat. 1724, related to authority of Secretary.

Section 512, formerly 511, added Pub. L. 90-495, § 30, Aug. 23, 1968, 82 Stat. 834; renumbered § 512, Pub. L. 91-605, title I, § 117(a), Dec. 31, 1970, 84 Stat. 1724, related to definitions for chapter.

## SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT PLANNING

Pub. L. 102-240, title VI, § 6009, Dec. 18, 1991, 105 Stat. 2175, as amended by Pub. L. 104-59, title III, § 338(c)(1), Nov. 28, 1995, 109 Stat. 604, provided that:

“(a) FINDINGS.—Congress finds that—

“(1) despite an annual expenditure in excess of \$10,000,000,000 on surface transportation and its infrastructure, the Federal Government has not developed a clear vision of—

“(A) how the surface transportation systems of the 21st century will differ from the present;

“(B) how they will interface with each other and with other forms of transportation;

“(C) how such systems will adjust to changing American population patterns and lifestyles; and

“(D) the role of federally funded research and development in ensuring that appropriate transportation systems are developed and implemented;

“(2) the population of the United States is projected to increase by over 30,000,000 people within the next 20 years, mostly in existing major metropolitan areas, which will result in increased traffic congestion within and between urban areas, more accidents, loss of productive time, and increased cost of transportation unless new technologies are developed to improve public transportation within cities and to move people and goods between cities;

“(3) 18,000,000 crashes, 4,000,000 injuries, and 45,000 fatalities each year on the Nation's highways are intolerable and substantial research is required in order to develop safer technologies in their most useful and economic forms;

“(4) current research and development funding for surface transportation is insufficient to provide the United States with the technologies essential to providing its own advanced transportation systems in the future and, as a result, the United States is becoming increasingly dependent on foreign surface transportation technologies and equipment to meet its expanding surface transportation needs;

“(5) a more active, focused surface transportation research and development program involving cooperation among the Federal Government, United States based industry, and United States universities should be organized on a priority basis;

“(6) intelligent transportation systems represent the best near-term technology for improving surface transportation for public benefit by providing equipment which can improve traffic flow and provide for enhanced safety;

“(7) research and development programs related to surface transportation are fragmented and dispersed throughout government and need to be strengthened and incorporated in an integrated framework within which a consensus on the goals of a national surface transportation research and development program must be developed;

“(8) the inability of government agencies to cooperate effectively, the difficulty of obtaining public support for new systems and rights-of-way, and the high cost of capital financing discourage private firms from investing in the development of new transportation equipment and systems; therefore, the Federal Government should sponsor and coordinate research and development of new technologies to provide safer, more convenient, and affordable transportation systems for use in the future; and

“(9) an effective high technology applied research and development program should be implemented quickly by strengthening the Department of Transportation research and development staff and by contracting with private industry for specific development projects.

“(b) SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT PLAN.—

“(1) DEVELOPMENT.—The Secretary shall develop an integrated national surface transportation research and development plan (hereinafter in this subsection referred to as the ‘plan’).

“(2) FOCUS.—The plan shall focus on surface transportation systems needed for urban, suburban, and rural areas in the next decade.

“(3) CONTENTS.—The plan shall include the following:

“(A) Details of the Department's surface transportation research and development programs, including appropriate funding levels and a schedule with milestones, preliminary cost estimates, appropriate work scopes, personnel requirements, and estimated costs and goals for the next 3 years for each area of research and development.

“(B) A 10-year projection of long-term programs in surface transportation research and development and recommendations for the appropriate source or mechanism for surface transportation research and development funding, taking into account recommendations of the Research and Development Coordinating Council of the Department of Transportation and the plan of the National Council on Surface Transportation Research.

“(C) Recommendations on changes needed to assure that Federal, State, and local contracting procedures encourage the adoption of advanced technologies developed as a consequence of the research programs in this Act [Pub. L. 102-240, see Tables for classification].

“(4) OBJECTIVES.—The plan shall provide for the following:

“(A) The development, within the shortest period of time possible, of a range of technologies needed to produce convenient, safe, and affordable modes of surface transportation to be available for public use beginning in the mid-1990's.

“(B) Maintenance of a long-term advanced research and development program to provide for next generation surface transportation systems.

“(5) COOPERATION WITH INDUSTRY.—A primary component of the plan shall be cooperation with industry in carrying out this part [part A (§§ 6001-6024) of title VI of Pub. L. 102-240, enacting sections 325 and 326 of

this title, sections 3711b and 3711c of Title 15, Commerce and Trade, section 111 of Title 49, Transportation, and section 1625 of former Title 49, Transportation, amending sections 204, 307, and 321 of this title, section 5316 of Title 5, Government Organization and Employees, sections 3708 and 3712 to 3715 of Title 15, sections 101 and 301 of Title 49, and sections 1607c and 1608 of former Title 49, enacting provisions set out as notes under sections 101, 112, and 307 of this title and sections 111 and 301 of Title 49, and amending provisions set out as notes under section 1608 of former Title 49] and strengthening the manufacturing capabilities of United States firms in order to produce products for surface transportation systems.

“(6) CONFORMANCE WITH PLAN.—All surface transportation research and development within the Department of Transportation shall be included in the plan and shall be evaluated in accordance with the plan.

“(7) COORDINATION.—In developing the plan and carrying out this part, the Secretary shall consult with

and, where appropriate, use the expertise of other Federal agencies and their laboratories.

“(8) TRANSMITTAL.—On or before January 15, 1993, and annually thereafter, the Secretary shall transmit the plan to Congress, together with the Secretary’s comments and recommendations. The Secretary shall review and update the plan before each transmittal under this paragraph.

“(9) RECOMMENDATIONS FOR ALTERNATIVES.—In the event a different technology or alternative program can be identified that would accomplish the same or better results than those described in this part, the Secretary may make recommendations for an alternative, and shall promptly report such alternative recommendations to Congress.”

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 502 of this title; title 49 section 5505.