

“(1) STUDY.—The Secretary of Transportation shall conduct a study regarding the exchange of information between the Federal Government and State law enforcement officials on all arrests for drunk driving offenses in all States. In conducting such study, the Secretary shall consider the usefulness of such information to law enforcement officials as well as any legal restraints on the exchange or use of such information. One purpose of such study shall be to identify effective methods, if any, for the exchange of such information.

“(2) REPORT.—Not later than 1 year after the date of the enactment of this Act [Nov. 18, 1988], the Secretary shall transmit to Congress a report on the results of the study conducted under this section.

“(C) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section \$300,000 for fiscal year 1989.”

§ 411. State highway safety data improvements

(a) GENERAL AUTHORITY.—

(1) AUTHORITY TO MAKE GRANTS.—Subject to the requirements of this section, the Secretary shall make grants to States that adopt and implement effective programs—

(A) to improve the timeliness, accuracy, completeness, uniformity, and accessibility of the data of the State that is needed to identify priorities for national, State, and local highway and traffic safety programs;

(B) to evaluate the effectiveness of efforts to make such improvements;

(C) to link these State data systems, including traffic records, with other data systems within the State, such as systems that contain medical and economic data; and

(D) to improve the compatibility of the data system of the State with national data systems and data systems of other States and to enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances.

Such grants may be used by recipient States only to implement such programs.

(2) MODEL DATA ELEMENTS.—The Secretary, in consultation with States and other appropriate parties, shall determine the model data elements necessary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances. In order to become eligible for a grant under this section, a State shall demonstrate how the multiyear highway safety data and traffic records plan of the State described in subsection (b)(1) will be incorporated into data systems of the State.

(3) MAINTENANCE OF EFFORT.—No grant may be made to a State under this section in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for highway safety data programs at or above the average level of such expenditures in its 2 fiscal years preceding the date of enactment of the Transportation Equity Act for the 21st Century.

(4) MAXIMUM PERIOD OF ELIGIBILITY.—No State may receive grants under this section in more than 6 fiscal years beginning after September 30, 1997.

(5) FEDERAL SHARE.—The Federal share of the cost of implementing and enforcing, as ap-

propriate, in a fiscal year a program adopted by a State pursuant to paragraph (1) shall not exceed—

(A) in the first and second fiscal years in which the State receives a grant under this section, 75 percent;

(B) in the third and fourth fiscal years in which the State receives a grant under this section, 50 percent; and

(C) in the fifth and sixth fiscal years in which the State receives a grant under this section, 25 percent.

(b) FIRST-YEAR GRANTS.—

(1) ELIGIBILITY.—A State shall become eligible for a first-year grant under this subsection in a fiscal year if the State either—

(A) demonstrates, to the satisfaction of the Secretary, that the State has—

(i) established a highway safety data and traffic records coordinating committee with a multidisciplinary membership, including the administrators, collectors, and users of such data (including the public health, injury control, and motor carrier communities);

(ii) completed, within the preceding 5 years, a highway safety data and traffic records assessment or an audit of the highway safety data and traffic records system of the State; and

(iii) initiated the development of a multiyear highway safety data and traffic records strategic plan that—

(I) identifies and prioritizes the highway safety data and traffic records needs and goals of the State;

(II) identifies performance-based measures by which progress toward those goals will be determined; and

(III) will be submitted to the highway safety data and traffic records coordinating committee of the State for approval; or

(B) provides, to the satisfaction of the Secretary—

(i) a certification that the State has met the requirements of clauses (i) and (ii) of subparagraph (A);

(ii) a multiyear highway safety data and traffic records strategic plan that—

(I) meets the requirements of subparagraph (A)(iii); and

(II) specifies how the incentive funds of the State for the fiscal year will be used to address needs and goals identified in the plan; and

(iii) a certification that the highway safety data and traffic records coordinating committee of the State continues to operate and supports the multiyear plan described in clause (ii).

(2) GRANT AMOUNTS.—The amount of a first-year grant made to a State for a fiscal year under this subsection shall equal—

(A) if the State is eligible for the grant under paragraph (1)(A), \$125,000; and

(B) if the State is eligible for the grant under paragraph (1)(B), an amount determined by multiplying—

- (i) the amount appropriated to carry out this section for such fiscal year; by
- (ii) the ratio that the funds apportioned to the State under section 402 for fiscal year 1997 bears to the funds apportioned to all States under section 402 for fiscal year 1997;

except that no State eligible for a grant under paragraph (1)(B) shall receive less than \$250,000.

(3) STATES NOT MEETING CRITERIA.—The Secretary may award a grant of up to \$25,000 for 1 year to any State that does not meet the criteria established in paragraph (1). The grant may only be used to conduct activities needed to enable the State to qualify for a first-year grant in the next fiscal year.

(c)¹ SUCCEEDING YEAR GRANTS.—

(1) ELIGIBILITY.—A State shall be eligible for a grant under this subsection in a fiscal year succeeding the first fiscal year in which the State receives a grant under subsection (b) if the State, to the satisfaction of the Secretary—

(A) submits or updates a multiyear highway safety data and traffic records strategic plan that meets the requirements of subsection (b)(1);

(B) certifies that the highway safety data and traffic records coordinating committee of the State continues to operate and supports the multiyear plan; and

(C) reports annually on the progress of the State in implementing the multiyear plan.

(2) GRANT AMOUNTS.—The amount of a succeeding year grant made to the State for a fiscal year under this paragraph shall equal the amount determined by multiplying—

(A) the amount appropriated to carry out this section for such fiscal year; by

(B) the ratio that the funds apportioned to the State under section 402 for fiscal year 1997 bears to the funds apportioned to all States under section 402 for fiscal year 1997;

except that no State eligible for a grant under this paragraph shall receive less than \$225,000.

(c)¹ ADMINISTRATIVE EXPENSES.—Funds authorized to be appropriated to carry out this section in a fiscal year shall be subject to a deduction not to exceed 5 percent for the necessary costs of administering the provisions of this section.

(d) APPLICABILITY OF CHAPTER 1.—The provisions contained in section 402(d) shall apply to this section.

(Added Pub. L. 105-178, title II, §2005(a), June 9, 1998, 112 Stat. 332.)

REFERENCES IN TEXT

The date of enactment of the Transportation Equity Act for the 21st Century, referred to in subsec. (a)(3), is the date of enactment of Pub. L. 105-178, which was approved June 9, 1998.

CHAPTER 5—RESEARCH AND TECHNOLOGY

Sec. 501.	Definitions.
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Sec. 502. 503. 504. 505. 506. 507. 508.	Surface transportation research. Technology deployment program. ¹ Training and education. State planning and research. International highway transportation outreach program. Surface transportation-environment cooperative research program. Surface transportation research strategic planning.
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PRIOR PROVISIONS

A prior chapter 5, added Pub. L. 90-495, §30, Aug. 23, 1968, 82 Stat. 830, consisting of sections 501 to 512, related to highway relocation assistance, prior to repeal by Pub. L. 91-646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903. See section 4601 et seq. of Title 42, The Public Health and Welfare. For Effective Date of Repeal and Savings Provisions, see sections 221 and 220(b) of Pub. L. 91-646, set out as notes under sections 4601 and 4621, respectively, of Title 42.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 103 of this title.

§ 501. Definitions

In this chapter, the following definitions apply:

(1) FEDERAL LABORATORY.—The term “Federal laboratory” includes a Government-owned, Government-operated laboratory and a Government-owned, contractor-operated laboratory.

(2) SAFETY.—The term “safety” includes highway and traffic safety systems, research, and development relating to vehicle, highway, driver, passenger, bicyclist, and pedestrian characteristics, accident investigations, communications, emergency medical care, and transportation of the injured.

(Added Pub. L. 105-178, title V, §5101(2), June 9, 1998, 112 Stat. 422.)

PRIOR PROVISIONS

A prior section 501, added Pub. L. 90-495, §30, Aug. 23, 1968, 82 Stat. 830, related to declaration of policy as to highway relocation assistance, prior to repeal by Pub. L. 91-646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

§ 502. Surface transportation research

(a) GENERAL AUTHORITY.—

(1) RESEARCH, DEVELOPMENT, AND TECHNOLOGY TRANSFER ACTIVITIES.—The Secretary may carry out research, development, and technology transfer activities with respect to—

(A) motor carrier transportation;

(B) all phases of transportation planning and development (including construction, operation, modernization, development, design, maintenance, safety, financing, and traffic conditions); and

(C) the effect of State laws on the activities described in subparagraphs (A) and (B).

(2) TESTS AND DEVELOPMENT.—The Secretary may test, develop, or assist in testing and developing any material, invention, patented article, or process.

(3) COOPERATION, GRANTS, AND CONTRACTS.—The Secretary may carry out this section—

¹ So in original. Two subsecs. (c) have been enacted.

¹ So in original. Does not conform to section catchline.