

## 23 U.S. Code § 133. Surface transportation block grant program

U.S. Code   Notes   Authorities (CFR)

**(a) ESTABLISHMENT.—**

The Secretary shall establish a surface transportation block grant program in accordance with this section to provide flexible funding to address State and local transportation needs.

**(b) ELIGIBLE PROJECTS.—**Funds apportioned to a State under section 104 (b)(2) for the surface transportation block grant program may be obligated for the following:

**(1) Construction of—**

**(A)** highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40;

**(B)** ferry boats and terminal facilities eligible for funding under section 129(c);

**(C)** transit capital projects eligible for assistance under chapter 53 of title 49;

**(D)** infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment;

**(E)** truck parking facilities eligible for funding under section 1401 of MAP-21 (23 U.S.C. 137 note); and

**(F)** border infrastructure projects eligible for funding under section

- (2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs.
- (3) Environmental measures eligible under sections 119(g), 328, and 329 and transportation control measures listed in section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).
- (4) Highway and transit safety infrastructure improvements and programs, including railway-highway grade crossings.
- (5) Fringe and corridor parking facilities and programs in accordance with section 137 and carpool projects in accordance with section 146.
- (6) Recreational trails projects eligible for funding under section 206, pedestrian and bicycle projects in accordance with section 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the safe routes to school program under section 1404 of SAFETEA-LU (23 U.S.C. 402 note).
- (7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.
- (8) Development and implementation of a Stateasset management plan for the National Highway System and a performance-based management program for other public roads.
- (9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.
- (10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of this title.
- (11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal.

(12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs.

(13) At the request of a State, and upon Secretarial approval of credit assistance under chapter 6, subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

(14) The creation and operation by a State of an office to assist in the design, implementation, and oversight of public-private partnerships eligible to receive funding under this title and chapter 53 of title 49, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.

(15) Any type of project eligible under this section as in effect on the day before the date of enactment of the FAST Act, including projects described under section 101(a)(29) as in effect on such day.

**(c) LOCATION OF PROJECTS.**—A surface transportation block grant project may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except—

(1) for a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);

(2) for a project described in paragraphs (4) through (11) of subsection (b);

(3) for a project described in section 101(a)(29), as in effect on the day before the date of enactment of the FAST Act; and

(4) as approved by the Secretary.

**(d) ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.**—

(1) **CALCULATION.**—Of the funds apportioned to a State under section 104(b)(2) (after the reservation of funds under subsection (h))—

(A) the percentage specified in paragraph (6) for a fiscal year shall be obligated under this section, in proportion to their relative shares