

Federal Laws Relevant to Pedestrian, Bicycle, and Non-Motorized Transportation

United States Code and Code of Federal Regulations

This document includes federal laws identified as relevant to pedestrian, bicycle, and non-motorized transportation. The laws and regulations identified here were compiled between August 2012 and June 2013. When using this, readers need to understand that laws often change, so legal citations and references need to be checked against federal, state, and other legal authorities to verify the validity of the information provided. The laws and regulations included were collected from the U.S. Government Printing Office website, among other authoritative resources as indicated. This is a living document; it needs to be updated periodically to stay current with new laws and changes in laws.

Note: Some sections of the Code of Federal Regulations (CFR) implement more than one provision of the United States Code (USC) that was reviewed for this project. Summaries for a specific CFR may be included with different provision of the USC reviewed under Title 23 or Title 49. This is indicated accordingly. Additionally, reference to "state transportation authorities" or "state departments of transportation" means the Minnesota Department of Transportation (MnDOT). Reference to "DOT" or the "Secretary of Transportation" means the United States Department of Transportation.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
Title 1: General Provisions				
Chapter 1: Rules of Construction				
1 U.S.C. § 4	"Vehicle" as Including All Means of Land Transportation	Defines "vehicle" for federal law purposes.	None	N/A
Title 16: Conservation				
Chapter 27: National Trails System				
16 U.S.C. § 1247	State and Local Area Recreation and Historic Trails	Directs the Department of the Interior to encourage states to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for state and local projects submitted pursuant to the Land and Water Conservation Fund Act [16 U.S.C. 460l-4 et seq.], needs and opportunities for establishing park, forest, and other recreation and historic trails on lands owned or administered by states, and recreation and historic trails on lands in or near urban areas.	49 C.F.R. § 1152	Summary under 49 U.S.C. § 10502.
Title 18: Crimes and Criminal Procedure				
Chapter 1: Aircraft and Motor Vehicles				
18 U.S.C. § 31	Definitions	Provides definitions of various vehicles for federal criminal law purposes.	None	

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US Code Citation	Title	Summary	Implementing Regulation	Summary
Title 23: Highways				
Chapter 1: Federal Aid Highways				
23 U.S.C. § 101	Definitions and Declarations of Policy	Defines significant terms used in Title 23. Particularly relevant to the pedestrian, bicycle, and non-motorized transportation project, this section defines: Construction; Federal-aid highway; Federal-aid system; Federal lands highway; Forest development roads and trails; Forest highway; Forest road or trail; Highway; Interstate System; Maintenance; Maintenance area; National Highway System; Operational improvement; Park road; Parkway; Project; Public lands development roads and trails; Public lands highway; Public lands highways; Safety improvement project; State funds. Also includes policy statement regarding the transportation needs of the 21st Century.	23 C.F.R. § 140	Summary under 23 U.S.C. § 114.
			23 C.F.R. § 626	Summary under 23 U.S.C. § 109.
			23 C.F.R. § 635	Summary under 23 U.S.C. § 109.
			23 C.F.R. § 636	Summary under 23 U.S.C. § 109.
			23 C.F.R. § 645	Summary under 23 U.S.C. § 109.
			23 C.F.R. § 655	Summary under 23 U.S.C. § 114.
			23 C.F.R. § 660	Implements the Forest Highway Program which enhances local, regional, and national benefits of forest highways funded under the public lands highway category of the coordinated Federal Lands Highway Program.
			23 C.F.R. § 668	Summary under 23 U.S.C. § 120.
			23 C.F.R. § 710	Summary under 23 U.S.C. § 108.
			25 C.F.R. § 170	Summary under 23 U.S.C. § 204.
			40 C.F.R. § 51 (subpart F)	Recognizes the role of non-motorized vehicles as a control strategy to help achieve air quality standards
			40 C.F.R. § 51 (subpart G)	Encourages states to to identify alternative control strategies during the development of the State Implementation Plan (SIP), as well as the costs and benefits of each such alternative for attainment or maintenance of the national air quality and motor vehicle emissions standard. Specifically requires that any revisions to the SIP that contain transportation control measures, must comply with § 51.213.

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				40 C.F.R. § 51.213	The SIP must include emissions reductions achieved by implementing transportation control measures. If emission reductions included in the SIP are achieved by traffic flow changes or reductions in vehicle use, the data must include observed changes in vehicle miles traveled and average speeds. Data must also be maintained in such a way as to facilitate comparison of the planned and actual efficacy of the transportation control measures.
23 U.S.C. § 103	Federal-Aid Systems	Specifies that the federal-aid highway system includes the interstate system and the national highway system. Components of the national highway system include the interstate system, urban and rural principal arterial routes, other connector highways (including toll facilities) providing motor vehicle access between arterial routes on the NHS and a major intermodal transportation facility, strategic highway network important to US strategic defense policy, major strategic highway network connectors consisting of highways giving motor vehicle access between major military installations and highways that are part of the strategic highway network. Funds apportioned to states for the National Highway System may be used for bicycle transportation and pedestrian walkways in accordance with section 217.	23 C.F.R. § 420	Summary under 23 U.S.C. § 133.	
			23 C.F.R. § 470	Regulation provides policies and procedures for the identification of Federal-aid highways, the classification of roads and streets, the designation of urban area boundaries, and the designation of routes on the Federal-aid highway systems. Provides direction about prioritizing intermodal transportation services for funding. However, discussion of intermodal transportation facilities does not include reference to pedestrian, bicycle, or non-motorized transportation users as the threshold for these projects is geared towards moving a high number of people, vehicles, or freight.	
			23 C.F.R. § 777	Summary under 23 U.S.C. § 133.	
23 U.S.C. § 104	Apportionment	Describes amounts authorized to be appropriated from the Highway Trust Fund and designated purposes for those funds.	23 C.F.R. § 420	Summary under 23 U.S.C. § 115.	
			23 C.F.R. § 665	Prescribes the policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices on all streets and highways in accordance with references that are approved by the FHWA for application on Federal-aid projects.	

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				23 C.F.R. § 924	Sets forth policy for the development, implementation, and evaluation of a comprehensive highway safety improvement program (HSIP) in each state.
23 U.S.C. § 106	Project Approval and Oversight	Lays out the relationship between federal and state governments regarding different federally funded highway projects. There are three different types of federally funded highways discussed in this section – interstate highway, non-interstate highways that are part of the national highway system, and other federally funded highways that are not part of either the interstate or national highway systems. Depending on the type of the project, federal and state governments may have different roles in the funding of the project; project implementation and oversight; and project design, plans, specifications, estimates, contract awards, and inspection of projects. Project funding can include a combination of both federal and state funds.	23 C.F.R. § 140	Summary under 23 U.S.C. § 114.	
			23 C.F.R. § 630 (subpart A)	Applies to all Federal-aid projects unless project is specifically exempted. State transportation departments are required to obtain authorization to proceed on federal aid project from FHWA before beginning work.	
			23 C.F.R. § 630 (subpart J)	Specifically refers to Part 6 of the Manual On Uniform Traffic Control Devices (MUTCD) for basic principles and standards for the design, application, installation and maintenance of traffic control devices for highway and street construction, maintenance operation, and utility work.	
			23 C.F.R. § 630 (subpart K)	Involves work zone safety with motorized transportation.	
			23 C.F.R. § 771	Summary under 49 U.S.C. § 5301.	

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				23 C.F.R. § 940	Discusses policies and procedures for implementing section 5206(e) of Transportation Equity Act for 21st Century (TEA-21) involving conformance with the National Intelligent Transportation Systems (ITS) Architecture and Standards. Major ITS projects include any ITS project implementing part of a regional ITS initiative that is multi-jurisdictional, multi-modal, or otherwise impacts regional integration of ITS systems. ITS projects shall conform to the National ITS Architecture and Standards in accordance with the requirements contained in this part. Development of the regional ITS architecture should be consistent with the transportation planning process for Statewide and Metropolitan Transportation Planning.
23 U.S.C. § 107	Acquisition of Rights-of-way--Interstate System	Authorizes the U.S. DOT to take possession of land as needed for the construction, reconstruction, and improvement of the interstate highway system.		23 C.F.R. § 710	Ensures the prudent use of federal funds under title 23 of the United States Code in the acquisition, management, and disposal of real property.
				36 C.F.R. § 14	Includes provisions for the acquisition, management, and disposal of property under the control of the National Park Service.
23 U.S.C. § 108	Advance Acquisition of Real Property	Discusses process for acquiring rights of way and reimbursement for costs associated with these transportation improvements and the acquisition of this real property. Transportation improvements must be consistent with the state transportation plan that has been approved under Section 135 of 23 USC. Also requires compliance with Title VI of the Civil Rights Act and that NEPA requirements have been met prior to acquisition of property or incurrence of cost by the state.		23 C.F.R. § 710	Focuses on use of federal funds under Title 23 of U.S.C. in acquisition, management, and disposal of real property. Includes provisions for federal funds to be used to obtain rights of way, easements, and other access to federally funded highways.
23 U.S.C. § 109	Standards	Discusses required design criteria for highways on the national		23 C.F.R. § 140	Summary under 23 U.S.C. § 114.

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23 U.S.C. § 111		Agreements Relating	highway system (not including highways also on the interstate system). Design criteria, including new construction, reconstruction, resurfacing, restoration or rehabilitation, are specifically to include access for “other modes of transportation.” Design standards are to comply with specific guidance, including: “A Policy on Geometric Design of Highways and Streets” created by the American Association of State Highway and Transportation Officials; “Flexibility in Highway Design” from the Federal Highway Administration; “Eight Characteristics of Process to Yield Excellence and the Seven Qualities of Excellence in Transportation Design” developed by a 1998 conference “Thinking Beyond the Pavement National Workshop on Integrating Highway Development with Communities and the Environment while Maintaining Safety and Performance”; and any other material that the DOT determines to be appropriate. At the same time, the needs of the local community should be used to inform specific design considerations.	<p>23 C.F.R. § 200</p> <p>23 C.F.R. § 625</p> <p>23 C.F.R. § 626</p> <p>23 C.F.R. § 630</p> <p>23 C.F.R. § 635</p> <p>23 C.F.R. § 636</p> <p>23 C.F.R. § 637</p> <p>23 C.F.R. § 645</p> <p>23 C.F.R. § 646</p> <p>23 C.F.R. § 650 (subpart C)</p>	<p>Provides guidelines for implementing the federal highway administration Title VI compliance program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations, and for conducting Title VI program compliance reviews relative to the Federal-aid highway program.</p> <p>Identifies standards and specifications for proposed National Highway System projects with stated goal of serving existing and planned future traffic of highways in a way that is conducive to safety, durability, and economy of maintenance.</p> <p>Specifies the pavement design policy for Federal-aid highway projects.</p> <p>Summary under 23 U.S.C. § 106.</p> <p>Provides policies, requirements, and procedures for Federal-aid highway projects from time of authorization to proceed to the construction stage, to the time of final acceptance by FHWA.</p> <p>Discusses contracting process for transportation projects, ensuring competitiveness, releasing requests for proposals (RFPs), communication with applicants, etc.</p> <p>Summary under 23 U.S.C. § 114.</p> <p>Involves policies, procedures, and reimbursement provisions for adjustment and relocation of utility facilities on Federal-aid and direct Federal projects.</p> <p>Summary under 23 U.S.C. § 120.</p> <p>Provides specific reference manuals including standards for bridge inspection on federally funded highways.</p>
23 U.S.C. § 111		Agreements Relating	Discusses the requirement that state transportation department	23 C.F.R. § 645	Summary under 23 U.S.C. § 109.

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		to Use of and Access to Rights of Way -- Interstate Systems	obtain permission from the Secretary of Transportation for the construction of projects on the Interstate System; specifically in regards to points of access to, or exit from, the project.	23 C.F.R. § 710	Summary under 23 U.S.C. § 108.
23 U.S.C. § 114	Construction	Responsibility for construction of any Federal-aid highway or portion thereof shall be undertaken by state transportation departments or carried out under their supervision. Construction work and labor must comply with state and federal laws.		23 C.F.R. § 172	Provides policies and procedures that apply to the engineering- and design-related services under the common grant rule; details the procurement process for Federal-Aid highway fund; and discusses state procedures for auditing contracts for engineering and design services .
				23 C.F.R. § 633 (subpart A)	Involves process for ensuring contract provisions comply with federal law, including provisions of the Clean Air Act and Federal Water Pollution Control Act, in addition to other provisions.
				23 C.F.R. § 635	Summary under 23 U.S.C. § 109.
				23 C.F.R. § 636	Summary under 23 U.S.C. § 109.
				23 C.F.R. § 637	Discuss responsibility of state transportation departments for developing quality assurance programs ensuring that materials and workmanship of Federal-aid highway construction projects on the National Highway System meet required plans and specifications.
				23 C.F.R. § 655	Provides FHWA policies and procedures for uniformity of traffic control devices on all streets and highways through references approved by FHWA for application on Federal-aid projects.
				23 C.F.R. § 710	Summary under 23 U.S.C. § 108.

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23 U.S.C. § 115	Advance Construction		Authorizes the U.S. DOT to advance the construction of federal-aid highway projects without obligating federal funds apportioned or allocated to the state.	23 C.F.R. § 420	FHWA policies and procedures for the administration of activities undertaken by state departments of transportation (State DOTs) and their subrecipients, including metropolitan planning organizations (MPOs), with FHWA planning and research funds. Also prescribes requirements for research, development, and technology transfer (RD&T) activities, programs, and studies undertaken by State DOTs and their subrecipients with FHWA planning and research funds.
				23 C.F.R. § 630	Prescribes policies for authorizing federal-aid projects.
				23 C.F.R. § 636	Describes the FHWA's policies and procedures for approving design-build projects financed under title 23 of the United States Code (U.S.C.).
23 U.S.C. § 116	Maintenance		Delineates responsibility of state transportation departments to maintain federal aid highway projects. State departments of transportation are no longer responsible for maintaining a project if it is no longer part of the federal-aid system. If the state department of transportation does not have the legal authority to maintain a project on the federal-aid secondary system or within a municipality, the state transportation department is responsible for entering into an agreement with the appropriate officials of the county or municipality where the project is located.	23 C.F.R. § 635	Summary under 23 U.S.C. § 109.
				23 C.F.R. § 645	Summary under 23 U.S.C. § 109.
23 U.S.C. § 119	Interstate Maintenance Program		Discusses funding and approval criteria for resurfacing, restoring, rehabilitating, and reconstructing projects for the interstate highway system.	23 C.F.R. § 635	Summary under 23 U.S.C. § 109.
				23 C.F.R. § 636	Summary under 23 U.S.C. § 115.
23 U.S.C. § 120	Federal Share Payable		Discusses allocation of costs for different types of projects between federal and state governments. Includes provision for	23 C.F.R. § 140	Summary under 23 U.S.C. § 114.
				23 C.F.R. § 420	Summary under 23 U.S.C. § 133.

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23 U.S.C. § 121		Payments to States for Construction	<p>greater amount from federal dollars (up to 100%) for certain safety projects including traffic control signalization; traffic circles; safety rest areas; pavement marking; commuter carpooling and vanpooling; rail-highway crossing closure; or installation of traffic signs, traffic lights, guardrails, impact attenuators, concrete barrier end, treatments, breakaway utility poles, or priority control systems for emergency vehicles or transit vehicles at signalized intersections. Federal share of a transportation project can also be 100% for repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, parkways, public lands highways, public lands development roads and trails, and Indian reservation roads.</p> <p>States can also receive credits for expenditures related to non-federal transportation capital expenditures. If a state uses a credit in a non-federal transportation project, the state will not be exposed to additional liability, regulation, administrative oversight, or be required to meet additional federal design standards.</p>	23 C.F.R. § 646 (subpart A)	Involves liability standards and insurance requirements for contractors working on railroad projects and right of way projects within the construction of highway projects financed with federal funds.
				23 C.F.R. § 646 (subpart B)	Involves policies and procedures for federal-aid projects involving railroad facilities, including projects to eliminate hazards of railroad-highway crossings and other projects which use railroad properties or involve adjustments required by highway construction to either railroad facilities or facilities jointly owned or used by railroad and utility companies.
				23 C.F.R. § 661 (subpart G)	Prescribes project selection policies and fund allocation procedures for administering the Indian Reservation Road Bridge Program (IRRBP).
				23 C.F.R. § 668 (subpart A)	Involves emergency relief program and procedures for funding federal-aid highway projects and repairs related to natural disasters. In general, emergency repairs are to return roadway to pre-disaster condition. However, in some circumstances, certain “betterments” can be included which modify the function or character of a highway facility from what existed prior, including additional lanes or added access control.
				23 C.F.R. § 668 (subpart B)	Provides procedures for federal agencies regarding federal roads. Federal roads include forest highways, forest development roads and trails, park roads and trails, parkways, public lands highways, public lands development roads and trails, and Indian reservation roads. Also includes procedure for “betterments” as in Subpart A.
23 U.S.C. § 121		Payments to States for Construction	Authorizes the U.S. DOT to make payments to a state for costs of construction incurred by the state on a project.	23 C.F.R. § 140	Summary under 23 U.S.C. § 114.

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23 U.S.C. § 126		Uniform Transferability of Federal-aid Highway Funds	Authorizes states to transfer from an apportionment under section 104 (b) to any other apportionment of the State under that section. The transferred apportionment amount may not exceed 50 percent of the amount apportioned for the fiscal year.	None	N/A
23 U.S.C. § 130		Railway-Highway Crossings	Involves railway-highway crossings program and the elimination of hazards from these crossings. Federal funds are available for these projects. Railroads may, however, be required to reimburse the government for the net benefit to the railroad from the project. States are required to maintain a survey of all highways to identify railroad crossings which may need attention due to crossing issues. When carrying out projects under this section, states are required to take into account bicycle safety.	23 C.F.R. § 140 23 C.F.R. § 646 23 C.F.R. § 924	Reimbursement for crossings with federal funds. Summary under 23 U.S.C. § 120. Provisions of the Highway Safety Improvement Program.
23 U.S.C. § 133		Surface Transportation Program	Discusses establishment of a surface transportation program by the U.S. DOT. Projects that are eligible for funding under this program include construction or reconstruction needed to accommodate other transportation modes, including interstate highways. Other projects to which a state can commit funding include bicycle transportation, pedestrian walkways, and modifications to make public sidewalks comply with ADA.	23 C.F.R. § 420 23 C.F.R. § 646 23 C.F.R. § 710 23 C.F.R. § 777 (subchapter H) 23 C.F.R. § 940	Provides FHWA policies and procedures for administration of activities undertaken by state departments of transportation and their subrecipients, including metropolitan planning organizations, with FHWA planning and research funds. Summary under 23 U.S.C. § 120. Summary under 23 U.S.C. § 108. Provides policies and procedures to evaluate and mitigate adverse environmental impacts to wetlands and natural habitat from federal-aid projects funded under Title 23 of the U.S.C.. Summary under 23 U.S.C. § 106.
23 U.S.C. § 134		Metropolitan	Recognizes the importance of developing surface	23 C.F.R. § 420	Summary under 23 U.S.C. § 133

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	Transportation Planning		<p>transportation systems that serve the mobility needs of people and freight and foster economic growth and development between states and urbanized areas, while also minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes. Metropolitan and statewide transportation planning processes apply to metropolitan planning organizations, state departments of transportation and public transit operators.</p> <p>This section also discusses specific procedural and substantive requirements for metropolitan planning organizations when developing long-range plans and transportation improvement programs (TIPs). The development of these plans and TIPs must provide for the development and integrated management and operation of transportation systems and facilities, including accessible pedestrian walkways and bicycle transportation facilities, that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the state and the United States. Additionally, the metropolitan planning process is to specifically include consideration of projects and strategies that increase the safety and security of the transportation system for non-motorized transportation users, enhance the integration and connectivity of the transportation system across and between modes of transportation for people and freight, and emphasize the preservation of the existing transportation system.</p> <p>Metropolitan planning organizations are required to integrate into the metropolitan transportation planning process, the</p>	<p>23 C.F.R. § 450.300</p> <p>23 C.F.R. § 450.306</p> <p>23 C.F.R. § 450.316 (subpart C)</p>	<p>Defines a national policy that requires the MPO for each urban area to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process. This process includes the development of a metropolitan transportation plan and a transportation improvement program (TIP) that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development while minimizing transportation-related fuel consumption and air pollution.</p> <p>Identifies scope of the metropolitan transportation planning process. This process is to be continuous, cooperative, and comprehensive and provide for consideration and implementation of projects, strategies, and services addressing, amongst other considerations, the increased safety and security of the transportation system for motorized and non-motorized users.</p> <p>Notes the requirement that the metropolitan transportation planning process must include citizen participation, including representatives of users of public transportation, pedestrian walkways, bicycle transportation facilities, and representatives of disabled parties.</p>	

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			<p>goals, objectives, performance measures, and other targets that are included in other state transportation plans and transportation processes, and other plans developed under chapter 53 of title 49 of the USC by public transportation providers.</p> <p>Also includes some limitations on court challenges to the development of long-range plans and TIPs.</p>	<p>23 C.F.R. § 450.322</p>	<p>Notes the requirement that the metropolitan transportation planning process includes the development of a transportation plan addressing no less than a 20-year planning horizon. This plan must include both long-range and short-range strategies and actions that lead to the development of an integrated multimodal transportation system to facilitate safe and efficient movement of people and goods in addressing current and future transportation demands. This plan must include existing and proposed transportation facilities, including multimodal and intermodal facilities, pedestrian walkways and bicycle facilities, and intermodal connectors, that function as an integrated metropolitan transportation system.</p>
				<p>23 C.F.R. § 450.324</p>	<p>Describes the requirement that each metropolitan planning organization develop a TIP for the metropolitan planning area covering no less than 4 years. The TIP must include capital and non-capital surface transportation projects, including transportation enhancements; safety projects included in the state’s Strategic Highway Safety Plan; trails projects; pedestrian walkways; and bicycle facilities.</p>
				<p>23 C.F.R. § 470</p>	<p>Summary under 23 U.S.C. § 103</p>
				<p>23 C.F.R. § 500</p>	<p>Summary under 49 U.S.C. § 5303</p>
				<p>49 C.F.R. § 609</p>	<p>Transportation for elderly and handicapped persons.</p>
				<p>49 C.F.R. § 613</p>	<p>Grant programs—transportation, highway and roads, mass transportation, reporting and record keeping requirements.</p>
23 U.S.C. § 135	Statewide Transportation Planning	Discusses requirements for statewide transportation plans and transportation improvement programs developed by states to meet objectives of section 134(a). Specifically requires that these include the development, integrated management, and	<p>23 C.F.R. § 316</p>	<p>Summary under 23 U.S.C. § 134.</p>	
			<p>23 C.F.R. § 322</p>	<p>Summary under 23 U.S.C. § 134.</p>	
			<p>23 C.F.R. § 324</p>	<p>Summary under 23 U.S.C. § 134.</p>	
			<p>23 C.F.R. § 420</p>	<p>Summary under 23 U.S.C. § 133.</p>	

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		<p>operation of accessible pedestrian walkways and bicycle transportation facilities. These components are required to function as part of an intermodal transportation system for the state and serve as an integral part of an intermodal transportation system for the United States.</p> <p>State transportation planning must include coordination with metropolitan planning and consider transportation needs in nonmetro areas and by tribal governments. Planning must also be coordinated with requirements under the Clean Air Act (CAA). The scope of the planning process is required to include considerations regarding increasing the safety and security of the transportation system for non-motorized transportation users.</p> <p>The public process for the development of the statewide transportation plan includes participation by representatives of pedestrian and bicycle sectors. Also discusses process for public participation in responding to the plan and the process for disseminating the plan once it is finalized.</p> <p>The law limits challenges to a state's failure to consider certain factors in court.</p>	<p>23 C.F.R. § 450.200 (subpart B)</p>	<p>Requires each state to carry out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process. This includes the development of a long-range statewide transportation plan and statewide transportation improvement program (STIP) that facilitate the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and that fosters economic growth and development within and between states and urbanized areas, while minimizing transportation-related fuel consumption and air pollution in all areas of the state, including those areas subject to the metropolitan transportation planning requirements of 23 U.S.C. § 134 and 49 U.S.C. § 5303.</p>
			<p>23 C.F.R. § 450.206</p>	<p>Identifies the scope of the statewide transportation planning process. Specifies that each state is required to carry out a continuing, cooperative, and comprehensive statewide transportation planning process providing for consideration and implementation of projects, strategies, and services that address increased safety and security of the transportation system for motorized and non-motorized users, among other listed factors.</p>

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			23 C.F.R. § 450.210	Requires statewide transportation planning process, including development of long-range statewide transportation plan and the STIP, to include public involvement, including users of pedestrian walkways and bicycle transportation facilities.
			23 C.F.R. § 450.214	Discusses the development and content of the long-range statewide transportation plan. The long-range statewide transportation plan involves a minimum 20-year forecast period that provides for the development and implementation of the multimodal transportation system for the state. This plan must include elements and connections between public transportation, non-motorized modes of transportation, and other forms of transportation. This plan must also include a safety element that incorporates or summarizes components of the Strategic Highway Safety Plan. The statewide transportation plan is to be developed in coordination with impacted metropolitan planning organizations, non-metropolitan transportation officials, and tribal governments. For non-metropolitan areas or tribal areas, the STIP is to be developed in consultation with affected non-metropolitan local officials and tribal governments. The STIP is to include capital and non-capital surface transportation projects, including pedestrian walkways, bicycle facilities and other safety projects included in the Strategic Highway Safety Plan.

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				23 C.F.R. § 450.216	Discusses development and content of the statewide transportation improvement program (STIP). States are to develop the STIP for all areas of the state covering a period of no less than 4 years and to update the STIP at least every 4 years. The STIP is to be developed in cooperation with the MPO for the metropolitan area. Metropolitan transportation improvement programs are to be included without change into the STIP. Clean Air Act (CAA) considerations must be part of the approval of metropolitan TIP for nonattainment or maintenance metropolitan areas.
				23 C.F.R. § 450.218	States to certify that the STIP meets requirements of Title VI of Civil Rights Act of 1964 and 49 CFR part 21, provisions of ADA and 49 CFR parts 27, 37, and 38, and the Older Americans Act (42 USC 6101), and Section 514 of the Rehabilitation Act of 1973 and 49 CFR part 27.
				23 C.F.R. § 470	Summary under 23 U.S.C. § 103.
				23 C.F.R. § 500	Summary under 49 U.S.C. § 5303.
				49 C.F.R. § 609	Concerns transportation for elderly and handicapped persons.
				49 C.F.R. § 613	Summary under 23 U.S.C. § 134.

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23 U.S.C. § 140		Nondiscrimination	Tasks the U.S. DOT with requiring assurances from any state desiring to avail itself of the benefits of this chapter that employment in connection with proposed projects will be provided without regard to race, color, creed, national origin, or sex.	23 C.F.R. § 230	Prescribes the policies, procedures, and guides relative to the implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts. Also prescribes the policies, procedures, and guidance to develop, conduct, and administer supportive services assistance programs for minority, disadvantaged, and women business enterprises. Sets forth Federal Highway Administration (FHWA) federal-aid policy and FHWA and state responsibilities regarding a state highway agency's internal equal employment opportunity program and for assuring compliance with the equal employment opportunity requirements of federally-assisted highway construction contracts. Discusses policies and procedures to standardize the implementation of the equal opportunity contract compliance program.
23 U.S.C. § 142		Public Transportation	Primarily concerns development and improvement of public mass transportation systems operating motor vehicles. However, projects funded under this section may also include capital improvements to provide access and coordination between highway transportation and other modes of transportation or modifications to existing highway facilities to accommodate other modes of transportation if automotive safety is not adversely affected.	49 C.F.R. § 605 49 C.F.R. § 609 23 C.F.R. § 710	Concerns federal school bus funding. Summary under 23 U.S.C. § 135. Ensures the prudent use of federal funds under title 23 of the United States Code in the acquisition, management, and disposal of real property.

US Code Citation		Title	Summary	Implementing Regulation	Summary
23 U.S.C. § 148		Highway Safety Improvement Program	Concerns the highway safety improvement program and projects that fall under this program. The program includes projects or strategies included in the state strategic highway safety plan carried out as part of the state transportation improvement program (STIP) under section 135(g). The purpose of the highway safety improvement program shall be to achieve a significant reduction in traffic fatalities and serious injuries on public roads. The program is required to include a process for gathering and analyzing safety data regarding specific intersections or highway sections that have a high number of accidents or safety issues. Projects under the program should prioritize those areas and needs with the greatest safety concerns.	23 C.F.R. § 924	Establishes policies for the development, implementation, and evaluation of a comprehensive highway safety improvement program (HSIP) in each state. For this section, highway includes a road, street, and parkway; a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure, sign, guardrail, and protective structure, in connection with a highway; and a portion of any interstate or international bridge or tunnel and the approaches thereto; and facilities specifically provided for the accommodation and protection of pedestrians and bicyclists.
23 U.S.C. § 149		Congestion Mitigation and Air Quality Improvement Program	Primarily concerned with funding projects for areas in a state that is or was designated as nonattainment for ozone, carbon monoxide or PM under section 107(d) of the Clean Air Act (CAA), or is required to prepare and file a maintenance plan under the CAA. Projects approved under this section must contribute to attainment or maintenance of ambient air quality standards. States that do not have a nonattainment area can use funding for projects that would otherwise be eligible if carried out in a nonattainment area or is eligible under surface transportation program under 23 U.S.C. section 133.	23 C.F.R. § 810	Focuses on mass transit and special use highway projects.

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23 U.S.C. § 152	Hazard Elimination Program	Primarily concerned with providing funding for each state to identify and eliminate hazardous portions of public roads which may prove dangerous to motorists, bicyclists, and pedestrians. Under this provision, each state should create a schedule for improvement of these roads based on potential danger. The funds received under this provision may be used to improve any public road, transportation facility, or non-motorized path or trailway. For improvements planned under this provision, the federal government shall provide 90% of the cost of the project.	None	N/A	
23 U.S.C. § 153	Use of Safety Belts and Motorcycle Helmets	Enables the DOT to make grants to states for providing education, training, monitoring, and enforcement related to safety belt and motorcycle helmet safety.	23 C.F.R. § 1215	Use of safety belts - compliance and transfer-of-funds procedures.	
23 U.S.C. § 166	HOV Facilities	Bicycles are allowed to use high-occupancy vehicle (HOV) facilities on federal-aid highways. However, a state agency can restrict the use of HOV facilities by bicycles if the agency certifies that such use would create a safety hazard, this certification is accepted by the DOT, and there is an opportunity for public comment.	None	N/A	
Chapter 2: Other Highways					
23 U.S.C. § 201	Federal Lands and Tribal Transportation Programs	This section recognizes the need to coordinate the noted programs and ensure the uniformity of policies governing all public federal and tribal transportation facilities. Under this section, the Secretary of Transportation, with the Secretaries of federal land management agencies, are responsible for coordinating a uniform policy for all public federal and tribal transportation facilities that shall apply to federal lands transportation facilities, tribal transportation facilities, and federal lands access transportation facilities. Funding for these programs should reflect the coordination between agencies.	None	N/A	

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23 U.S.C. § 202	Tribal Transportation Program	Requires funding for program to be used for transportation planning, research, maintenance, engineering, rehabilitation, restoration, and reconstruction of tribal transportation facilities. Projects can also include funding for provisions for pedestrian and bicycle transportation. This section requires Indian tribal governments to carry out a transportation planning process with the state, local government, or metropolitan planning organizations as required under 23 U.S.C. section 201(c).	None	N/A	
23 U.S.C. § 203	Federal Lands Transportation Program	Funds used under this program are to be used by the Secretary of Transportation and the Secretary of the appropriate federal land management agency to pay the costs of program administration, transportation planning, research, preventive maintenance, engineering, rehabilitation, restoration, construction, and reconstruction of federal lands transportation facilities. The program can include provisions for pedestrians and bicycles, environmental mitigation in or adjacent to federal land open to the public, and congestion mitigation, among other things. This section includes limitations on bicycle access to some roads based on speed limit.	None	N/A	
23 U.S.C. § 204	Federal Lands Access Program	Funding from this program shall be used by the Secretary of Transportation and the Secretary of the appropriate federal	23 C.F.R. § 660	See summary under 23 U.S.C. § 101.	
			23 C.F.R. § 710	See summary under 23 U.S.C. § 108.	

US Code Citation		Title	Summary	Implementing Regulation	Summary
			<p>land management agency to pay the cost of transportation planning, research, engineering, preventive maintenance, rehabilitation, restoration, construction, and reconstruction of federal lands access transportation facilities located on or adjacent to, or that provide access to, federal land. The program can include provisions for pedestrians and bicycles, operation and maintenance of transit facilities, and others.</p> <p>Key federal agencies involved in the administration of this program and providing data used in prioritizing projects and funding for the program include:</p> <ul style="list-style-type: none"> • The National Park Service. • The Forest Service. • The United States Fish and Wildlife Service. • The Bureau of Land Management. • The Corps of Engineers. 	23 C.F.R. § 970	Includes regulations to guide the National Park Service (NPS) in safety, bridge, pavement, and congestion management systems for roads funded under the Federal Lands Highway Program (FLHP) when developing transportation plans and making resource allocation decisions for the Park Road Program transportation improvement program (PRPTIP). The Park Road Program transportation improvement program (PRPTIP) is a staged, multi-year, multimodal program of NPS transportation projects in a state area. This program is consistent with the NPS transportation plan developed through the NPS planning processes. Park roads include park roads and bridges built primarily for pedestrian use that is located within or provides access to areas in the National Park System.
				23 C.F.R. § 971	Provides direction to the Forest Service, the Federal Highway Administration, and the state departments of transportation responsible for satisfying requirements for management systems. The planning process includes a multiyear, multimodal program of transportation projects in a state area consistent with the FH (forest highway) transportation plan. Transportation facilities covered under this section include roads, streets, bridges, parking areas, transit vehicles, and other related transportation infrastructure. Includes requirements for a safety management system (SMS) to reduce traffic accidents and improve highway safety. The federal lands safety management system requires that the SMS includes reporting of accidents involving pedestrians.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			23 C.F.R. § 972	Provides direction to the Fish and Wildlife Service regarding safety, bridge, pavement, and congestion management systems for roads funded under the Federal Land Highway Program (FLHP) within the jurisdiction of the FWS. Transportation facilities covered under this section include roads, streets, bridges, parking areas, transit vehicles, and other related transportation infrastructure. Planning process includes a multimodal transportation plan that is developed through the Fish and Wildlife Service transportation planning process.
			25 C.F.R. § 170	This regulation provides rules and policy for implementation of the Indian Reservation Roads (IRR) Program. Indian reservation road transportation facilities include public roads, bridges, drainage structures, culverts, ferry routes, marine terminals, transit facilities, boardwalks, pedestrian paths, trails, and their appurtenances, and other transportation facilities as designated by the tribe and the Secretary of Transportation. All regionally significant IRR Program projects must be: (1) Developed in cooperation with state and metropolitan planning organizations; and (2) Included in appropriate Federal Lands Highway Program (FLHP) transportation improvement programs for inclusion in state and metropolitan plans.

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23 U.S.C. § 206		Recreational Trails Program	The program created under this section provides that the Secretary of Transportation, in consultation with the Secretaries of Interior and Agriculture, will carry out a program to provide and maintain recreational trails. Recreational trails under this section include thoroughfares or tracks across land or snow used for recreational purposes such as pedestrian activities, including wheelchair use; skating or skateboarding; equestrian activities, including carriage driving; nonmotorized snow trail activities, including skiing; bicycling or use of other human-powered vehicles; aquatic or water activities; and motorized vehicular activities, including all-terrain vehicle riding, motorcycling, snowmobiling, use of off-road light trucks, or use of other off-road motorized vehicles.	None	N/A
23 U.S.C. § 217		Bicycle Transportation and Pedestrian Walkways	Allows states to use funds from STP and Congestion Mitigation Program Funds to construct pedestrian walkways and bicycle transportation facilities and for nonconstruction projects related to safe bicycle use; to use National Highway System Funds to construct pedestrian walkways and bicycle transportation facilities on land adjacent to any highway on the National Highway System; and to use Federal Lands Highway funds to construct pedestrian walkways and bicycle transportation facilities. Allows states to fund a position of	23 C.F.R. § 450.206 23 C.F.R. § 450.210 23 C.F.R. § 450.306 23 C.F.R. § 450.316 23 C.F.R. § 450.324	See summary under 23 U.S.C. § 134. See summary under 23 U.S.C. § 134.

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			bicycle and pedestrian coordinator to promote and facilitate the increased use of non-motorized modes of transportation, including developing facilities for the use of pedestrians and bicyclists and public education, promotional, and safety programs for the use of these facilities. In addition, requires that the replacement or rehabilitation of bridges using federal funding include safe accommodation of bicycles on highway bridge decks being replaced or rehabilitated, so long as bicycles are permitted to operate at each end of the bridge and the Secretary of Transportation determines that this accommodation can be provided at a reasonable cost.	23 C.F.R. § 652	Provides specific policies and procedures for pedestrian and bicycle accommodations in federal-aid projects. Development of federal-aid highway projects is required to consider safe accommodation of bicyclists and pedestrians, especially the needs of the elderly and handicapped using pedestrian facilities. If bicycles are allowed on highways "without full control of access," bridge replacement or rehabilitation construction should include safe accommodations for bicycles if it can be done at a reasonable cost. Independent, incidental, and nonconstruction bicycle projects must be principally for transportation rather than recreational use. Includes specific requirements for pedestrian and bicycle facilities when federal aid is used. Also requires that curb cuts and other provisions as may be appropriate for the handicapped are required on all federal and federal-aid projects involving the provision of curbs or sidewalks at all pedestrian crosswalks.
				23 C.F.R. § 655	See summary under 23 U.S.C. § 114.
Chapter 3: General Provisions					
23 U.S.C. § 302	State Transportation Department	States seeking to utilize provisions of Title 23 must have a state transportation department with adequate powers, capacity, and organization to fulfill duties required under Title 23. States can utilize services of private engineering firms to meet this requirement.		23 C.F.R. § 627	Requires that states integrate value engineering (VE) into the planning and development of all applicable federal-aid highway projects.
23 U.S.C. § 324	Prohibition of	No person shall on the ground of sex be excluded from		23 C.F.R. § 200	Summary under 23 U.S.C. § 109.

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(also linked to Title VI of Civil Rights Act 42 USC 2000d et seq.)	Discrimination on the Basis of Sex	participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.	49 C.F.R. § 21 (part 21)	<p>Implements the provisions of Title VI of the Civil Rights Act of 1964 (hereafter referred to as the Act) in that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the DOT.</p> <p>Additionally, recipients of federal funds may not make a selection of a site or location of a facility if the purpose of that selection, or its effect when made, is to exclude individuals from participation in, to deny them the benefits of, or to subject them to discrimination under any program or activity to which this rule applies, on the grounds of race, color, or national origin; or if the purpose is to, or its effect when made will, substantially impair the accomplishment of the objectives of this part.</p>
23 U.S.C. § 329	Eligibility for Control of Noxious Weeds and Aquatic Noxious Weeds and Establishment of Native Species	Authorizes the use of funds for aesthetic enhancement of the transportation system through establishment of plants and for management of plants that impair or impede the establishment, management, and safe use of the transportation system.	None	N/A
Chapter 4: Highway Safety				
23 U.S.C. § 401	Authority of the Secretary	Gives Secretary of Transportation authority to assist and work with other federal departments and agencies, state and local governments, private industry, and other interested parties, to increase highway safety.	None	

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US Code Citation	Title	Summary	Implementing Regulation	Summary
23 U.S.C. § 402	Highway Safety Programs	<p>Requires all states to have a highway safety program approved by the Secretary of Transportation, designed to reduce traffic accidents and deaths, injuries, and property damage. State programs must follow uniform guidelines developed by the Secretary. Uniform guidelines include measures to improve pedestrian performance and bicycle safety.</p> <p>State highway safety programs must provide adequate and reasonable access for safe and convenient movement of individuals with disabilities, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian cross-walks throughout the state.</p>	23 C.F.R. § 172	This part prescribes policies and procedures for the administration of engineering and design related service contracts as supplemented by the common grant rule, 49 C.F.R. part 18.
			23 C.F.R. § 450.206	See summary under 23 U.S.C. § 134.
			23 C.F.R. § 450.210	See summary under 23 U.S.C. § 134.
			23 C.F.R. § 450.216	See summary under 23 U.S.C. § 134.
			23 C.F.R. § 450.306	See summary under 23 U.S.C. § 134.
			23 C.F.R. § 450.316	See summary under 23 U.S.C. § 134.
			23 C.F.R. § 450.324	See summary under 23 U.S.C. § 134.
			23 C.F.R. § 460	This portion of the implementing regulations describes the policy for public road mile apportionment in order to determine apportionment of highway safety funds. This portion of the regulations defines public roads and and the procedure to be used to make the apportionment determinations.
			23 C.F.R. § 625	See summary under 23 U.S.C. § 109.
			23 C.F.R. § 630	See summary under 23 U.S.C. § 106.
			23 C.F.R. § 652	See summary under 23 U.S.C. § 217.
			23 C.F.R. § 655	See summary under 23 U.S.C. § 114.
23 C.F.R. § 924	See summary under 23 U.S.C. § 148.			

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			23 C.F.R. § 1200	Establishes uniform application, approval, implementation, and closeout procedures for state highway safety programs authorized under 23 U.S.C. § 402. State's application for funds for its highway safety program is to include specific components, including a performance plan with list of objectives and measurable highway safety goals, and description of process used by the state to identify its highway safety problems, define its highway safety goals and performance measures, and develop projects and activities, and other specifications. A state's highway safety program must include adequate and reasonable access for the safe and convenient movement of persons with physical disabilities, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the state.
			23 C.F.R. § 1205	This part identifies those highway safety programs that are eligible for Federal funding under the State and Community Highway Safety Grant Program and specifies the federal funding requirements for those programs.
			23 C.F.R. § 1206	This part establishes procedures governing determinations to invoke the sanctions applicable to any state that does not comply with the highway safety program requirements in the Highway Safety Act of 1966, as amended.
Chapter 5: Research, Technology, and Education				

US Code Citation		Title	Summary	Implementing Regulation	Summary
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23 U.S.C. § 501	Definitions	Defines "safety" as 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. MAP 21 then adds some additional definitions to this section. The MAP 21 additions focus on how to integrate technology into the transportation infrastructure, with this section supporting research to examine ways in which technology can be used to improve the efficiency or safety the public sector transportation system.	None	N/A	
23 U.S.C. § 507	Surface Transportation-Environmental Cooperative Research Program	Establishes a surface transportation environmental cooperative research program. Goals of the program are to develop more accurate models for evaluating transportation control measures and transportation system designs that are appropriate for state and local governments (including metropolitan planning organizations) when designing implementation plans to meet federal, state and local environmental requirements. This program may apply to pedestrian, bicycle, and non-motorized transportation as these modes of transportation may assist states or local governments meet certain environmental requirements.	None	N/A	
Chapter 6: Infrastructure Finance					
23 U.S.C. § 606	State and Local Permits	Clarifies that (a) recipients of credit assistance under this chapter are also responsible for obtaining required state or local permits for these funded projects, (b) states and local governments still have the right to approve or regulate any rate of return on private equity invested in the project, and (c) this funding does not otherwise supersede any state or local law or regulation applicable to the construction or operation of the project.	None	N/A	
Title 29: Labor					
Chapter 16: Vocational Rehabilitation and Other Rehabilitation Services					

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US Code Citation	Title	Summary	Implementing Regulation	Summary
29 U.S.C. §§ 701-797b	Rehabilitation Act of 1973	The Rehabilitation Act of 1973 was passed in Congress to prohibit discrimination on the basis of disability in a wide array of federal policies, including employment, independent contracting, and use of the federal grants and programs. For the purpose of the pedestrian, bicycle, and non-motorized transportation project, the most relevant part of the Rehabilitation Act is section 504. Section 504 of the Rehailitation Act is codified at 29 U.S.C. § 794. This relevant section applies to all federal agencies, programs, services, and any similar entity at the state level which receives federal funding and prohibits any discriminatory practices based on disability. This prohibition will reach a state transportation agency as a recipient of federal funds. Violation of these requirements by any state agency in its attempts to develop transportation infrastrucutre could result in a loss of federal funding for transportation projects, including developing safer pedestrian and non-motorized vehicle street access.		Title 28 part 39 of the Code of Federal Regulations implements regulations for Section 504 of the Rehabilitation Act. Part 39 of the implementing regulations in Title 28 of the CFRs for Section 504 of the Rehabilitation Act specifically applies to the accessibility requirements for facilities used by the Department of Justice. These requirements may be within the scope of the pedestrian, bicycle, and non-motorized transportation project because they incorporate the standards used in the ABA that are applied to state transportation agencies and certain facilities including roads and sidewalks on or near the facilities' property.
			28 C.F.R. §§ 39.101-39.111	The sections included here include general provisions relating to prohibition of discriminatory behavior on the basis of handicap in the Department of Justice. This portion includes the purpose, application, and definitions incorporated in these provisions. These sections maybe less applicable to state transportation agencies because it addresses specific requirements for the Department of Justice. However, a state agency may be subject to some of the same provisions as a "program or activity conducted by an Executive agency."
			28 C.F.R. §§ 39.130-39.170	This portion of the implementing regulations for Section 504 of the Rehabilitation act addresses the general prohibitions against discrimination, program accessibility requirements, and the procedures that must be followed to ensure compliance. These implementing regulations apply to facilities and programs provided by the Department of Justice. They do, however, include accessibility provisions for the facilities used by the Department of Justice including sidewalks, roads, and parking lots which will be subject the standards set by the ABA and applicable to state transportation agencies.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			34 C.F.R. § 104 (subpart B)	This portion of the Rehabilitation Act’s implementing regulations specifically addresses the accessibility requirements that are required to satisfy this portion. Generally, it prohibits discrimination against individuals with disabilities. To that effect, it establishes accessibility requirements for both existing facilities and the construction of new facilities.
			Title 45 part 84 of the Code of Federal Regulations implements portions of Section 504 of the Rehabilitation Act. Part 84 of the Rehabilitation Act’s implementing regulations sets accessibility requirements for the Department of Health and Human Services’ facilities and the facilities of other public entities that receive funding from the department.	
			45 C.F.R. § 84 (subpart A)	The general provisions found in this part of the Rehabilitation Act’s implementing regulations explain the scope and procedural requirements of this part. Included is the purpose, application, and required remedial action that is undertaken to address instances of discriminatory treatment by a public entity receiving federal financial assistance. Additionally, this portion of the regulations establishes special requirements for small recipients of federal funds and requires certain assurances from the public entity receiving the financial assistance regarding the accessibility regulations contained in this portion.
			45 C.F.R. § 84 (subpart B)	This portion of the regulations prohibits discrimination against individuals with disabilities. This portion also sets accessibility requirements for existing facilities and new construction.
Title 42: The Public Health and Welfare				
Chapter 21: Civil Rights				
42 U.S.C. § 2000d	Prohibition Against Exclusion from	States that no person in the United States shall, on the ground of race, color, or national origin, be excluded from	23 C.F.R. § 200 23 C.F.R. § 710	Summary under 23 U.S.C. 109 Summary under 23 U.S.C. § 108.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
	Participation in, Denial of Benefits of, and Discrimination Under Federally Assisted Programs on Ground of Race, Color, or National Origin	participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.	49 C.F.R. § 303	Provides guidelines and procedures for implementing the Federal Motor Carrier Safety Administration's (FMCSA) Title VI program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations.
Chapter 51: Design and Construction of Public Buildings to Accommodate Physically Handicapped				
42 U.S.C. §§ 4151-4157	Architectural Barriers Act of 1968	The Architectural Barriers Act is codified in the United States Code at 42 U.S.C. §§ 4151 et seq. Title 42 of the United States Code addresses Public Health and Welfare. The Architectural Barriers Act was the first attempt by the federal government to regulate accessibility barriers to individuals with disabilities. The goal of the Act was to ensure access for all members of the public to all buildings and facilities built by the United States, leased by the United States after August 12, 1968, financed through partial or full government funding, or authorized under the National Capital Transportation Acts and Washington Metropolitan Area Regulation Compact.	41 C.F.R. § 101-19	Informs that the implementing regulations of the ABA can be found in the Federal Management Regulations.
			41 C.F.R. § 101-74	Addresses the facility management portion of the ABA implementing regulations and requires certain repair services for the facilities used by executive agencies, including the responsibility over sidewalks near and on such facilities. It also addresses appropriate behaviors on the property of the facilities.
			41 C.F.R. § 102-74 (subpart A)	This portion allows state transportation officials to determine the scope of applicability for the ABA as well as the basic policy for managing a public facility.
			41 C.F.R. § 102-74 (subpart B)	This portion of the ABA regulations provides direction on the typical services an executive agency will be expected to provide to ensure that the buildings housing its facilities are regularly repaired and altered as required. As a public entity receiving funding from an executive agency, state transportation agencies will likely be subject to the same expectations.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			41 C.F.R. § 102-74 (subpart C)	This portion of the ABA regulations provides direction on specific behaviors and actions on federal property including the use of guide animals and discriminatory behavior. As a public entity receiving funding from an executive agency, a state transportation agency is also subject to these regulations.
			41 C.F.R. § 102-74 (subpart E)	This portion of the ABA regulations designate the federal agencies housed in a facility as the responsible party for installing, repairing, and replacing sidewalks. It also designates the federal government as the party responsible for funding these projects. This portion will allow state transportation agencies to acquire funds for the installation, repair, and replacement of sidewalks in and around its facilities to ensure that they are fully accessible.
			The ABA is implemented by Title 41 part 102-76 of the Code of Federal Regulations. Part 102-76 of Title 41 of the ABA regulations are most applicable to the pedestrian, bicycle, and non-motorized transportation project in that they specifically address which organizations are subject to certain ABA standards. Under these provisions, a state transportation agency is subject to these regulations and the standards identified as an organization housed “ in a facility intended for public use.”	
			41 C.F.R. § 102-76 (subpart A)	This portion of the ABA implementing regulations addresses the applicability of ABA accessibility standards. It covers the goals of these standards and to whom the standards apply. As a public entity receiving funding from a federal agency, a state transportation agency will be subject to the standards under the ABA.

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			41 C.F.R. § 102-76 (subpart C)	Subpart C of the ABA implementing regulations specifically addresses the applicability of the ABA to facilities used by the public or in which individuals with disabilities may be employed. This portion addresses the exact standards that must be followed to satisfy the ABA and the appropriate handling of costs, including who pays for the required alterations and what will occur when the required alterations are financially burdensome. The provisions included will be important for public transportation agencies in determining exactly how the ABA regulations apply to alterations effecting the accessibility of their facilities.
Chapter 56: Environmental Quality Improvement				
42 U.S.C. § 4371	Congressional findings, declarations, and purposes	Lays out the national policy for the environment which provides for the enhancement of environmental quality. Statutes in this section relate to the prevention, abatement, and control of environmental pollution, water and land resources, transportation, and economic and regional development. The primary responsibility for implementing this policy rests with state and local government.	40 C.F.R. § 1508.20	Defines "mitigation" in terms of environmental impacts.
Chapter 76: Age Discrimination in Federally Assisted Programs				
42 U.S.C. §§ 6101-6107	Age Discrimination Act of 1975	This chapter prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance. Discrimination based on age covered by this chapter includes exclusion from participation in, being denied the benefits of, or being subjected to discrimination under, any program or activity receiving federal financial assistance. A program or activity includes all of the operations of a department, agency, special purpose district, or other instrumentality of a state or a	23 C.F.R. § 260	Provides policies and procedures for state use of federal funds to educate state and local highway department employees.
			23 C.F.R. § 450.218	Requires State Transportation Improvement Programs that must be submitted to the FHWA and Federal Transit Administration (FTA) for approval to be prepared in accordance with the applicable requirements of 42 U.S.C. § 6101.

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		local government; or the entity of a state or local government that distributes such assistance and each department or agency to which the assistance is extended.	23 C.F.R. § 450.334	Requires Metropolitan Planning Areas and Metropolitan Planning Organizations to undertake a review of the Transportation Improvement Program at the time of submission and every following four years to ensure that the Transportation Improvement Program is being carried out in accordance with the applicable requirements of 42 U.S.C. § 6101.
			43 C.F.R. § 17	Involves nondiscrimination in programs of the Department of the Interior - These regulations could potentially overlap with pedestrian, bicycle, and non-motorized transportation programs if they are implemented on public lands.
			49 C.F.R. § 1.41	Delegates the authority to oversee and implement the Age Discrimination Act of 1972 (42 U.S.C. § 6101 et seq.) to the Director of the Departmental Office of Civil Rights.
42 U.S.C. §§ 7401-7505	Title I, Part A of the Clean Air Act	Describes air quality and emissions limitations designed to achieve air pollution prevention and control.	40 C.F.R. § 6	Procedures for implementing the National Environmental Policy Act (NEPA) and assessing the environmental effects of EPA actions.
Chapter 126: Equal Opportunity for Individuals with Disabilities				

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US Code Citation	Title	Summary	Implementing Regulation	Summary
42 U.S.C. §§ 12131-12165	Americans with Disabilities Act of 1990	The ADA includes three main titles: Title I addressing employment practices, Title II addressing public services, and Title III addressing public accommodations. The most relevant sections to the pedestrian, bicycle, and non-motorized transportation project are included in Title II. Title II addresses discriminatory practices in the provision of public services and is broken down into two parts. Part A addresses discriminatory practices used by public entities providing public services in areas other than transportation. Part B addresses discriminatory practices by public entities which provide public transportation. Title 28 and Title 49 of the Code of Federal Regulations are the implementing regulations for Title II of the Americans with Disabilities Act.		Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12165) is implemented by the Code of Federal Regulations, Title 28 Part 35. Part 35 of Title 28 sets out the general provisions for ensuring that state and local government services are not provided in a discriminatory manner. It sets out the basic provisions including the purpose and application of this portion of Part 35. It details the different forms of discrimination against individuals with disabilities that are prohibited as well as addresses the accessibility requirements for old and new government facilities. Facilities regulated under this portion of the implementing regulations include: all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located. Part 35 also sets out the procedural provisions that are to be followed when a discrimination complaint is filed against the government or a public entity. This portion of the Code of Federal Regulations is helpful in showing the application of the ADA to state and local government as well as explaining some of the key terms used throughout the pedestrian, bicycle, and non-motorized transportation project like facilities, construction, and disability.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			28 C.F.R. § 35 (subpart A)	Provides guidance on the purpose of Part 35, its application, its relationship to other laws, and definitions contained within. Subpart A additionally addresses some initial requirements under this part including completion of a self-evaluation plan by the public entity, notice to members of the public regarding the application of this part to the public entity, and designation of a responsible employee of the public entity to whom grievances may be addressed. This portion is key in beginning to understand some of the key elements in the interplay between these federal disability regulations and state and local transportation policy. For example the term facility includes, “roads, walks, passageways, [and] parking lots” showing that these regulations will apply to development of transportation systems by state and local transportation agencies.
			28 C.F.R. § 35 (subpart B)	Explains the general prohibitions against discrimination in state and local services. It identifies specific behavior and actions that are prohibited under Part 35 as well as certain situations in which separate treatment for individuals with disabilities may be acceptable. Subpart B also provides requirements for the maintenance of certain accessible features. It includes a prohibition against coercion of and retaliation on individuals involved in inquiries regarding discriminatory actions. Subpart B also addresses the use of service animals and mobility devices by individuals with disabilities. All of these requirements will apply to any new or existing “facility” that a public transportation agency has constructed, is planning to construct, has altered, or is planning to alter.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			28 C.F.R. § 35 (subpart D)	Begins by restating the Department of Justice’s blanket prohibition against discriminatory behavior, specifically addressing such behavior that targets individuals with disabilities. If any portion of a state transportation agency’s program uses these behaviors to discourage the use of the transportation system by individuals with disabilities, it will be in violation of federal law. Subpart D next addresses the methods, time period, and transition plan for making existing facilities accessible to all individuals with disabilities. State transportation agencies should use the provisions to correct any impermissible treatment of individuals with disabilities. Accessibility requirements for new construction and alterations to existing facilities are also addressed. These requirements will allow state transportation agencies to determine which portions of the transportation system must be altered under the ADA and what level of accessibility is required.
			28 C.F.R. § 35 (subpart E)	The communications requirements under the nondiscrimination provisions of Title 28 require public entities to provide signage information that is accessible for all users with disabilities. State transportation agencies will be required to use appropriate signage and other forms of communication to inform users of the transportation system of the facilities’ accessible elements.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			28 C.F.R. § 35 (subpart F)	Provides the procedural requirements when a complaint is filed alleging discrimination based on an individual's disability. Subpart F describes who may file complaints, as well as where and when these complaints may be filed. Subpart F also addresses the procedure for acceptance of the complaints and any resulting compliance investigation and reviews. State transportation agencies will be required to implement and follow these procedures when it receives complaints related to facilities that are inaccessible for individuals with disabilities.
			28 C.F.R. § 35 (subpart G)	Identifies each federal agency that has authority to implement the procedural requirements established under Subpart F relating to state and local governments. Under this section, state transportation agencies are under the supervision of the United States Department of Transportation and possibly the United States Department of Justice.
			Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12165), is also implemented by the Code of Federal Regulations, Title 49 Part 27. Part 27 of Title 49 of the Code of Federal Regulations addresses the accessibility requirements established by the Rehabilitation Act which states must follow to continue to receiving federal funding for certain programs and activities.	

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US Code Citation	Title	Summary	Implementing Regulation	Summary
			49 C.F.R. § 27 (subpart A)	Provides state transportation agencies with guidance on the general purpose of Section 504 of the Rehabilitation Act and how it applies to projects undertaken by state agencies to improve public transportation. The definitions portion of Part A includes the basic elements needed to understand the terms used by Section 504 to regulate the expenditure of federal funds on the state public transportation system. This Subpart also provides guidance on what types of behaviors must be avoided by state transportation agencies in order to continue receiving federal funds.
			49 C.F.R. § 27 (subpart B)	Addresses which new and previously existing facilities state transportation agencies shall be required make accessible under their authority over the state highway system.
			49 C.F.R. § 27 (subpart C)	Under the provisions contained in this subpart, a state transportation agency's compliance with the accessibility requirements found in Section 504 of the Rehabilitation Act will undergo periodic reviews that will most likely be performed by the U.S. Department of Transportation. If a failure to comply with these requirements is found, the state transportation agency will then be subject to suspension or termination of certain funds provided by the federal government. Reasonable notice and an opportunity to be heard are required under this portion as well.

US Code Citation		Title	Summary	Implementing Regulation	Summary
				<p>Note: cells shaded with: are shaded as such to highlight their importance as particular Acts of Congress that are discussed in the report.</p>	
				<p>Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12165), is implemented by the Code of Federal Regulations, Title 49 Part 37. Part 37 of Title 49 of the Code of Federal Regulations addresses general accessibility requirements for transportation facilities provided by public entities including roads, walkways, and parking lots. It further supplies guidance on to whom these requirements apply and which facilities are covered by this part. Additionally, the maintenance requirements for the accessibility of certain facilities are addressed.</p>	
				49 C.F.R. § 37 (subpart B)	Clarifies that regardless of whether or not a state transportation agency receives federal funding for certain transportation projects, the accessibility requirements provided still apply. It also addresses the formation of contracts between state governments or public entities and private entities and the applicability of accessibility requirements to such projects.
				49 C.F.R. § 37 (subpart C)	Addresses the construction of transportation facilities by public entities and the level of accessibility required in those facilities. The public entity responsible for the construction must ensure that both the “path of access” and “primary function” of the facilities are accessible by individuals with disabilities. This portion also addresses the financial burdens that arise from accessibility undertaking. The public entity is also responsible for designating a “responsible person” who will be in charge of ensuring the accessibility of transportation facilities. These requirements will likely be applicable to all state transportation agencies as the public entity undertaking alterations to transportation facilities.
				49 C.F.R. § 37 (subpart G)	The public entity responsible for the transportation services at issue will be required to conduct necessary maintenance on the accessible features in the transportation facilities.

US Code Citation		Title	Summary	Implementing Regulation	Summary
Title 49: Transportation					
Chapter 1: Organization					
49 U.S.C. § 102	Department of Transportation	Creates structure of U.S. DOT, including an office of Climate Change and Environment. This office is responsible for planning, coordinating and implementing: (a) department-wide research, strategies, and actions under the Department’s statutory authority to reduce transportation-related energy use and mitigate the effects of climate change; and (b) department-wide research strategies and actions to address the impacts of climate change on transportation systems and infrastructure. This section is relevant to the pedestrian, bicycle, and non-motorized transportation project because it involves a clear priority for considerations of climate change and environmental impacts in federal transportation planning and the role of non-motorized transportation in mitigating adverse impacts of transportation on the environment and climate change.	14 C.F.R. § 300	See summary under 49 U.S.C. § 101.	
			14 C.F.R. § 302	See summary under 49 U.S.C. § 101.	
			14 C.F.R. § 385	See summary under 49 U.S.C. § 101.	
49 U.S.C. § 103	Federal Railway Administration	Creates the structure of the Federal Railway Administration, including duties, powers, and division of authority.			
49 U.S.C. § 104	Federal Highway Administration	Deals with the creation and structure of the Federal Highway Administration within the U.S. Department of Transportation. Creates specific leadership roles and hierarchy in the Federal Highway Administration and the accountability and reporting system.	14 C.F.R. § 300	See summary under 49 U.S.C. § 101.	
			14 C.F.R. § 302	See summary under 49 U.S.C. § 101.	
			14 C.F.R. § 385	See summary under 49 U.S.C. § 101.	
49 U.S.C. § 105	National Highway Traffic Safety Administration	Creates the National Highway Traffic Safety Administration as part of the U.S. DOT. Specifically requires the Administrator of the Administration to carry out duties and powers of chapter	14 C.F.R. § 300	See summary under 49 U.S.C. § 101.	
			14 C.F.R. § 302	See summary under 49 U.S.C. § 101.	
			14 C.F.R. § 385	See summary under 49 U.S.C. § 101.	

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US Code Citation	Title	Summary	Implementing Regulation	Summary
		4 of title 23. However, the administrator is specifically not responsible for highway-related aspects of pedestrian safety (in addition to other specific excepted duties). Requires the Administrator to consult with the Federal Highway Administrator on all matters related to the design, construction, maintenance, and operation of highways.	49 C.F.R. § 501	Specifically indicates that the National Highway Traffic Safety Administration (NHTSA) is not responsible for 23 USC chapter 4, Highway Safety, section 409 or activities relating to highway design, construction and maintenance, traffic control devices, identification and surveillance of accident locations, and highway-related aspects of pedestrian and bicycle safety.
Chapter 3: General Duties and Powers				
49 U.S.C. § 306	Prohibited Discrimination	This section prohibits exclusion from participation, denial of the benefits, or discrimination under a project, program or activity because of race, color, national origin, or sex when the project, program, or activity is financed under section 332 or 333 or chapter 221 or 249 (deal w/ railroad) of Title 49.		
49 U.S.C. § 322	Administrative	Gives the Secretary of Transportation the authority to delegate responsibilities to different government agencies.	49 C.F.R. § 1.88	Specifically indicates that one of the responsibilities of the Federal Railroad Administration is to strengthen local communities by supporting station-area development and strong connections among rail passenger service, intercity bus, local transit, pedestrian and bicycle, and airport facilities.
Chapter 53: Public Transportation				

US Code Citation		Title	Summary	Implementing Regulation	Summary
49 U.S.C. § 5301		Policies and Purposes	Discusses developing and maintaining a public transportation system, especially in rapidly growing urban areas. Section includes specific recognition of need for public transportation improvements to achieve goals for improved air quality, energy conservation, and mobility for elderly individuals, individuals with disabilities, and economically disadvantaged individuals in both urban and rural areas. This section is relevant to the pedestrian, bicycle, and non-motorized transportation project because it may apply to providing access to pedestrians, bicyclists, and other non-motorized transportation users who use public transportation services for a portion of their travel.	23 C.F.R. § 771	Prescribes the policies and procedures of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for implementing the National Environmental Policy Act of 1969 as amended (NEPA), and supplements the NEPA regulation of the Council on Environmental Quality (CEQ), 40 CFR parts 1500 through 1508 (CEQ regulation). Together these regulations set forth all FHWA, FTA, and U.S. Department of Transportation (DOT) requirements under NEPA for the processing of highway and public transportation projects. The regulation specifically identifies certain transportation projects that are excluded from the requirement to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) - also called "categorical exclusions".
49 U.S.C. § 5302		Definitions	Section defines key terms for use in chapter 53.	49 C.F.R. § 639	Addresses a transportation entity's decision to lease a capital asset as opposed to constructing the capital asset. A capital asset is defined in this part as "facilities or equipment with a useful life of at least one year, which are eligible for capital assistance." A transportation authority may decide to lease a capital asset when that option offers a less expensive alternative to constructing the capital asset. Part 639 additionally allows the use of capital funds to lease a capital asset as long as the procedures and requirements included are followed. This provision of the CFR may apply to pedestrian, bicycle, and non-motorized transportation in that MnDOT may determine that, in certain situations, it would be more financially prudent to lease certain capital assets that involve non-motorized transportation facilities as opposed to constructing them.

US Code Citation		Title	Summary	Implementing Regulation	Summary
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49 U.S.C. § 5303	Metropolitan Transportation Planning		Section recognizes that the national interest is served by the encouragement and promotion of surface transportation systems serving the mobility needs of people and freight – for economic growth and development within and between states and urbanized areas. National interest is also served by reducing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning process identified in this chapter. Section also provides key definitions for use in section 5303 and 5304.	23 C.F.R. § 450	See summary in 23 U.S.C. § 134 (on metropolitan transportation planning).
				23 C.F.R. § 500	Addresses the development of management and monitoring systems for highways in metropolitan areas. Subpart A of Part 500 provides the general information pertaining to the management systems including the purpose, policy, and definitions. Subpart B of Part 500 provides general information pertaining to monitoring systems including the purpose, definitions, and general requirements for these systems.
				49 C.F.R. § 614	Instructs the reader to cross-reference the regulations in 23 C.F.R. § 500 which address management systems for traffic, public transportation facilities and equipment, and intermodal transportation facilities and systems.
49 U.S.C. § 5304	Statewide Transportation Planning		Establishes the general requirements for statewide transportation planning, including requirements for long-range planning and statewide transportation improvement programs (TIPs). Long-range transportation plans and statewide TIPs are to provide for the development and integrated management and operation of transportation systems and facilities, including accessible pedestrian walkways and bicycle transportation facilities, that function as an intermodal transportation system for the state and are an integral part of an intermodal transportation system for the United States. The statewide planning process is to be coordinated with the metropolitan transportation planning processes.	23 C.F.R. § 450	See summary under 23 U.S.C. § 134 (on metropolitan transportation planning)
				23 C.F.R. § 500	See summary under 49 U.S.C. § 5303.
				49 C.F.R. § 614	See summary in 49 U.S.C. § 5303.

US Code Citation		Title	Summary	Implementing Regulation	Summary
49 U.S.C. § 5319		Bicycle facilities	Focuses on providing access for bicycles to public transportation facilities, to provide shelters and parking facilities for bicycles in or around public transportation facilities, or to install equipment for transporting bicycles on public transportation vehicles. Any projects meeting these criteria are eligible for assistance under sections 5307, 5309, and 5311 of Title 49.	None	N/A
49 U.S.C. § 5310		Formula Grants for Special Needs of Elderly Individuals and Individuals with Disabilities	<p>Section creates program for public transportation projects to meet special needs of elderly individuals and individuals with disabilities. This section may provide funding for transportation services for disabled and elderly individuals who use non-motorized transportation.</p> <p>MAP 21: MAP 21 repeals Section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note). MAP 21 also amends section 5310 to allow for grants to recipients for (a) public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable; (b) public transportation projects that exceed the requirements of the Americans with Disabilities Act of 1990; (c) public transportation projects that improve access to fixed route service and decrease reliance by individuals with disabilities on complementary paratransit; and (d) alternatives to public transportation that assist seniors and individuals with disabilities with transportation.</p>	49 C.F.R. § 27	Addresses the accessibility requirements established by the Rehabilitation Act which states must follow to continue to receiving federal funding for certain programs and activities.

Chapter 55: Intermodal Transportation

US Code Citation		Title	Summary	Implementing Regulation	Summary
49 U.S.C. § 5501		National Intermodal Transportation System Policy	States general policy of the National Intermodal Transportation System. This system consists of “all forms of transportation in a unified, interconnected manner, to reduce energy consumption and air pollution while promoting economic development and international commerce. The National Intermodal Transportation System includes components of the National Highway System and principal arterial roads essential for interstate and regional commerce and travel, national defense, intermodal transfer facilities, and international commerce and border crossings.	None	N/A
49 U.S.C. § 5503		Office of Intermodalism	This section creates an office of intermodalism within the U.S. Department of Transportation. This office is responsible for coordinating research on intermodal transportation pursuant to section 5009(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240, 105 Stat. 2177). The director of this office provides technical assistance to states and metropolitan planning organizations for urban areas with populations of at least 1,000,000. The director, in consultation with an advisory board and other public and private transportation interests, is responsible for developing a plan to improve the national intermodal transportation system.	None	N/A
49 U.S.C. § 5504		Model Intermodal Transportation Plans	Creates grant program for states to develop model state intermodal transportation plans consistent with the policy of section 302(e) of Title 49.	None	N/A
Chapter 101: General Provisions					
49 U.S.C. § 10102		Definitions	This provision lists the applicable definitions to be used in the planning of national railroad policy.	None	N/A
Chapter 105: Jurisdiction					
49 U.S.C. § 10501		General Jurisdiction	Discusses the authority and jurisdiction of the Surface Transportation Board.	None	N/A

US Code Citation		Title	Summary	Implementing Regulation	Summary
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49 U.S.C. § 10502	Authority to Exempt Rail Carrier Transportation	Addresses national railroad policy. This provision exempts from certain requirements rail carriers providing transportation if it is not necessary to carry out the policies included in section 10101 Rail Transportation Policy due to limited scope or lack of protection needed.	49 C.F.R. § 1105	Procedures for implementation of environmental laws.	
			49 C.F.R. § 1121	Rail exemption procedures.	
			49 C.F.R. § 1150	Certificates to construct, acquire, or operate railroad lines.	
			49 C.F.R. § 1152	Abandonment and discontinuance of rail lines and rail transportation.	
Chapter 109: Licensing					
49 U.S.C. § 10903	Filing and procedure for application to abandon or discontinue	Identifies duties of a rail carrier in railroad abandonment process.	49 C.F.R. § 1105	Procedures for implementation of environmental laws.	
			49 C.F.R. § 1152	Abandonment and discontinuance of rail lines and rail transportation.	
			49 C.F.R. § 1180	Railroad acquisition, control, merger, consolidation project, trackage rights, and lease procedures.	
Chapter 201: General					
49 U.S.C. § 20101	Purpose	The purpose of this chapter is to promote safety in every area of railroad operations and reduce railroad-related accidents and incidents.	None	N/A	
49 U.S.C. § 20106	Preemption	Addresses national uniformity of regulation and clarification of state law causes of action. Establishes the maximum operating speed limits for freight and passenger railroads. Tracks may be reclassified to a lower class if they do not meet the requirements of its intended class.	49 C.F.R. § 212	State safety participation regulations.	
			49 C.F.R. § 213	Track safety standards.	
			49 C.F.R. § 237	Bridge safety standards.	
			49 C.F.R. § 239	Passenger train emergency preparedness.	
49 U.S.C. § 20134	Grade Crossings and Railroad Rights of Way	Duties of Secretary of Transportation in developing regulations regarding safety measure at grade crossings.	None	N/A	
49 U.S.C. § 20152	Notification of Grade Crossing Problems	Requires railroad carriers to establish a process for reporting safety issues at rail crossings, including obstructions to pedestrians at rail crossings. Railroads required to ensure specific signage placement requirements at grade crossings on rights-of-way owned by railroad.	49 C.F.R. § 234.107	Involves requirements for railroads to warn highway users at crossings when there are problems with the operation of the warning system at a railroad crossing.	

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US Code Citation	Title	Summary	Implementing Regulation	Summary
49 U.S.C. § 20153	Audible Warnings at Highway-Rail Grade Crossings	Requires the DOT to prescribe regulations requiring that a locomotive horn shall be sounded while each train is approaching and entering upon each public highway-rail grade crossing.	49 C.F.R. § 222.9	Provides definitions for the section describing safety at public highway-rail grade crossings.
Chapter 225: Federal Grants to States for Highway-Rail Grade Crossings				
49 U.S.C. § 22501	Financial Assistance to States for Certain Projects	Creates federal grants for states to improve highway-rail grade crossing safety. Specific focus on reducing violations of traffic laws at highway-rail grade crossing and to help prevent and reduce injuries and fatalities along railroad rights-of-way. This section may provide funding for projects geared to improving safety for pedestrians, bicyclists, and non-motorized transportation users at highway-rail grade crossings and along railroad rights-of-way.	None	N/A
Chapter 244: Intercity Passenger Rail Service Corridor				
49 U.S.C. § 24402	Capital Investment Grants to Support Intercity Passenger Rail Service	Creates grants program to assist in financing capital costs of facilities, infrastructure, and equipment needed to provide or improve intercity passenger rail transportation. Projects funded under this section must be part of a state rail plan developed under chapter 227 of title 49. Particularly relevant to pedestrian, bicycle, and non-motorized transportation, preference is to be given to projects that are expected to result in benefits to other modes of transportation and to the public at large, including, consideration of the project's encouragement of intermodal connectivity through provision of direct connections between train stations, airports, bus terminals, subway stations, ferry ports, and other modes of transportation.	None	N/A

Executive Orders		
Order	Title	Summary

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US Code Citation	Title	Summary	Implementing Regulation	Summary
Executive Order 11472		Establishing the Cabinet Committee on the Environment and the Citizens' Advisory Committee on Environmental Quality.		Establishes and sets out the functions of the Cabinet Committee on the Environment, which is required to: (1) Recommend measures to ensure that federal policies and programs, including those for development and conservation of natural resources, take adequate account of environmental effects. (2) Review the adequacy of existing systems for monitoring and predicting environmental changes so as to achieve effective coverage and efficient use of facilities and other resources. (3) Foster cooperation between the federal government, state and local governments, and private organizations in environmental programs. (4) Seek advancement of scientific knowledge of changes in the environment and encourage the development of technology to prevent or minimize adverse effects that endanger man's health and well-being. (5) Stimulate public and private participation in programs and activities to protect against pollution of the nation's air, water, and land and its living resources. (6) Encourage timely public disclosure by all levels of government and by private parties of plans that would affect the quality of environment. (7) Assure assessment of new and changing technologies for their potential effects on the environment. (8) Facilitate coordination among departments and agencies of the federal government in protecting and improving the environment.
Executive Order 12898		Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations		Makes environmental justice a goal of each executive branch agency and requires each agency to create an agency-wide environmental justice strategy; creates an Interagency Working Group on Environmental Justice; and requires diversity in environmental health research.

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US Code Citation	Title	Summary	Implementing Regulation	Summary
Executive Order 13166		Improving Access to Services for Persons with Limited English Proficiency		Requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

United States Constitution	
Title	Text
First Amendment	Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.