

108TH CONGRESS  
2D SESSION

# S. 2025

To amend title 23, United States Code, to improve highway safety.

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IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2004

Mr. DEWINE introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 23, United States Code, to improve highway safety.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Streets and High-  
5 ways Act of 2004”.

6 **SEC. 2. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

7 (a) IN GENERAL.—Section 148 of title 23, United  
8 States Code, is amended to read as follows:

9 “§ 148. Highway safety improvement program

10 “(a) DEFINITIONS.—In this section:

1           “(1) HIGHWAY SAFETY IMPROVEMENT PRO-  
2           GRAM.—The term ‘highway safety improvement pro-  
3           gram’ means the program carried out under this sec-  
4           tion.

5           “(2) HIGHWAY SAFETY IMPROVEMENT  
6           PROJECT.—

7           “(A) IN GENERAL.—The term ‘highway  
8           safety improvement project’ means a project de-  
9           scribed in the State strategic highway safety  
10          plan that—

11                   “(i) corrects or improves a hazardous  
12                   road location or feature; or

13                   “(ii) addresses a highway safety prob-  
14                   lem.

15           “(B) INCLUSIONS.—The term ‘highway  
16           safety improvement project’ includes a project  
17           for—

18                   “(i) an intersection safety improve-  
19                   ment;

20                   “(ii) pavement and shoulder widening  
21                   (including addition of a passing lane to  
22                   remedy an unsafe condition);

23                   “(iii) installation of rumble strips or  
24                   another warning device, if the rumble  
25                   strips or other warning devices do not ad-

1                   versely affect the safety or mobility of  
2                   bicyclists and pedestrians;

3                   “(iv) installation of a skid-resistant  
4                   surface at an intersection or other location  
5                   with a high frequency of accidents;

6                   “(v) an improvement for pedestrian or  
7                   bicyclist safety;

8                   “(vi)(I) construction of any project for  
9                   the elimination of hazards at a railway-  
10                  highway crossing that is eligible for fund-  
11                  ing under section 130, including the sepa-  
12                  ration or protection of grades at railway-  
13                  highway crossings;

14                  “(II) construction of a railway-high-  
15                  way crossing safety feature; or

16                  “(III) the conduct of a model traffic  
17                  enforcement activity at a railway-highway  
18                  crossing;

19                  “(vii) construction of a traffic calming  
20                  feature;

21                  “(viii) elimination of a roadside obsta-  
22                  cle;

23                  “(ix) improvement of highway signage  
24                  and pavement markings;

1 “(x) installation of a priority control  
2 system for emergency vehicles at signalized  
3 intersections;

4 “(xi) installation of a traffic control or  
5 other warning device at a location with  
6 high accident potential;

7 “(xii) safety-conscious planning;

8 “(xiii) improvement in the collection  
9 and analysis of crash data;

10 “(xiv) planning, equipment, oper-  
11 ational activities, or traffic enforcement ac-  
12 tivities (including police assistance) relat-  
13 ing to workzone safety;

14 “(xv) installation of guardrails, bar-  
15 riers (including barriers between construc-  
16 tion work zones and traffic lanes for the  
17 safety of motorists and workers), and  
18 crash attenuators;

19 “(xvi) the addition or retrofitting of  
20 structures or other measures to eliminate  
21 or reduce accidents involving vehicles and  
22 wildlife; or

23 “(xvii) installation and maintenance  
24 of signs (including fluorescent, yellow-  
25 green signs, and signs designed to identify,

1 or reduce the number and severity of acci-  
2 dents occurring at, a hazardous location)  
3 at pedestrian-bicycle crossings and in  
4 school zones.

5 “(3) SAFETY PROJECT UNDER ANY OTHER SEC-  
6 TION.—

7 “(A) IN GENERAL.—The term ‘safety  
8 project under any other section’ means a  
9 project carried out for the purpose of safety  
10 under any other section of this title.

11 “(B) INCLUSION.—The term ‘safety  
12 project under any other section’ includes a  
13 project to—

14 “(i) promote the awareness of the  
15 public and educate the public concerning  
16 highway safety matters; or

17 “(ii) enforce highway safety laws.

18 “(4) STATE HIGHWAY SAFETY IMPROVEMENT  
19 PROGRAM.—The term ‘State highway safety im-  
20 provement program’ means projects or strategies in-  
21 cluded in the State strategic highway safety plan  
22 carried out as part of the State transportation im-  
23 provement program under section 135(f).

24 “(5) STATE STRATEGIC HIGHWAY SAFETY  
25 PLAN.—The term ‘State strategic highway safety

1 plan' means a plan developed by the State transpor-  
2 tation department that—

3 “(A) is developed after consultation with—

4 “(i) a highway safety representative of  
5 the Governor of the State;

6 “(ii) regional transportation planning  
7 organizations, if any;

8 “(iii) representatives of major modes  
9 of transportation;

10 “(iv) local traffic enforcement and en-  
11 gineering officials;

12 “(v) persons responsible for admin-  
13 istering section 130 at the State level;

14 “(vi) representatives conducting Oper-  
15 ation Lifesaver;

16 “(vii) representatives conducting a  
17 motor carrier safety program under section  
18 31104 or 31107 of title 49;

19 “(viii) motor vehicle administration  
20 agencies; and

21 “(ix) other major State and local safe-  
22 ty stakeholders;

23 “(B) analyzes and makes effective use of  
24 State, regional, or local crash data;

1           “(C) addresses engineering, management,  
2           operation, education, enforcement, and emer-  
3           gency services elements of highway safety as  
4           key factors in evaluating highway projects;

5           “(D) considers safety needs of, and high-  
6           fatality segments of, public roads;

7           “(E) considers the results of State, re-  
8           gional, or local transportation and highway  
9           safety planning processes in existence as of the  
10          date of enactment of this section;

11          “(F) describes a program of projects or  
12          strategies to reduce or eliminate safety hazards;

13          “(G) is approved by the Governor of the  
14          State or a responsible State agency; and

15          “(H) is consistent with the requirements of  
16          section 135(f).

17          “(b) PROGRAM.—

18                 “(1) IN GENERAL.—The Secretary shall carry  
19                 out a highway safety improvement program.

20                 “(2) PURPOSE.—The purpose of the highway  
21                 safety improvement program shall be to achieve a  
22                 significant reduction in traffic fatalities and serious  
23                 injuries on public roads.

24          “(c) ELIGIBILITY.—

1           “(1) IN GENERAL.—To receive funds under this  
2 section, a State shall have in effect a State highway  
3 safety improvement program under which the  
4 State—

5           “(A) develops and implements a State  
6 strategic highway safety plan that identifies and  
7 analyzes highway safety problems and opportu-  
8 nities as provided in paragraph (2);

9           “(B) produces a program of projects or  
10 strategies to reduce identified safety problems;  
11 and

12           “(C) evaluates the plan on a regular basis  
13 to ensure the accuracy of the data and priority  
14 of proposed improvements.

15           “(2) IDENTIFICATION AND ANALYSIS OF HIGH-  
16 WAY SAFETY PROBLEMS AND OPPORTUNITIES.—As  
17 part of the State strategic highway safety plan, a  
18 State shall—

19           “(A) have in place a crash data system  
20 with the ability to perform safety problem iden-  
21 tification and countermeasure analysis;

22           “(B) based on the analysis required by  
23 subparagraph (A)—

24           “(i) identify hazardous locations, sec-  
25 tions, and elements (including roadside ob-

1           stacles, railway-highway crossing needs,  
2           and unmarked or poorly marked roads)  
3           that constitute a danger to motorists,  
4           bicyclists, pedestrians, and other highway  
5           users; and

6           “(ii) using such criteria as the State  
7           determines to be appropriate, establish the  
8           relative severity of those locations, in terms  
9           of accidents, injuries, deaths, and other  
10          relevant data;

11          “(C) adopt strategic and performance-  
12          based goals that—

13                 “(i) address traffic safety, including  
14                 behavioral and infrastructure problems and  
15                 opportunities on all public roads;

16                 “(ii) focus resources on areas of  
17                 greatest need; and

18                 “(iii) are coordinated with other State  
19                 highway safety programs;

20          “(D) advance the capabilities of the State  
21          for traffic records data collection, analysis, and  
22          integration with other sources of safety data  
23          (such as road inventories) in a manner that—

24                 “(i) complements the State highway  
25                 safety program under chapter 4 and the

1 commercial vehicle safety plan under sec-  
2 tion 31102 of title 49;

3 “(ii) includes all public roads;

4 “(iii) identifies hazardous locations,  
5 sections, and elements on public roads that  
6 constitute a danger to motorists, bicyclists,  
7 and pedestrians; and

8 “(iv) includes a means of identifying  
9 the relative severity of hazardous locations  
10 described in clause (iii) in terms of acci-  
11 dents, injuries, and deaths;

12 “(E)(i) determine priorities for the correc-  
13 tion of hazardous road locations, sections, and  
14 elements (including railway-highway crossing  
15 improvements), as identified through crash data  
16 analysis;

17 “(ii) identify opportunities for preventing  
18 the development of such hazardous conditions;  
19 and

20 “(iii) establish and implement a schedule  
21 of highway safety improvement projects for haz-  
22 ard correction and hazard prevention; and

23 “(F)(i) establish an evaluation process to  
24 analyze and assess results achieved by highway  
25 safety improvement projects carried out in ac-

1 cordance with procedures and criteria estab-  
2 lished by this section; and

3 “(ii) use the information obtained under  
4 clause (i) in setting priorities for highway safety  
5 improvement projects.

6 “(d) ELIGIBLE PROJECTS.—

7 “(1) IN GENERAL.—A State may obligate funds  
8 apportioned to the State under this section to carry  
9 out—

10 “(A) any highway safety improvement  
11 project on any public road or publicly owned bi-  
12 cycle or pedestrian pathway or trail; or

13 “(B) as provided in subsection (e), for  
14 other safety projects.

15 “(2) USE OF OTHER FUNDING FOR SAFETY.—

16 “(A) EFFECT OF SECTION.—Nothing in  
17 this section prohibits the use of funds made  
18 available under other provisions of this title for  
19 highway safety improvement projects.

20 “(B) USE OF OTHER FUNDS.—States are  
21 encouraged to address the full scope of their  
22 safety needs and opportunities by using funds  
23 made available under other provisions of this  
24 title (except a provision that specifically pro-  
25 hibits that use).

1           “(3) LOW-TECH, LOW-COST SAFETY IMPROVE-  
2           MENTS.—

3           “(A) PROGRAM.—Each State shall carry  
4           out a program for the reduction of accidents,  
5           injuries, and deaths at hazardous locations  
6           through means described in clauses (i), (ii), (v),  
7           (ix), (xi), and (xvii) of subsection (a)(2)(B).

8           “(B) FUNDS.—Of the funds apportioned  
9           to a State under this section for a fiscal year,  
10          10 percent shall be available only for safety pro-  
11          grams described in subparagraph (A).

12          “(e) FLEXIBLE FUNDING FOR STATES WITH A STRA-  
13          TEGIC HIGHWAY SAFETY PLAN.—

14          “(1) IN GENERAL.—To further the implementa-  
15          tion of a State strategic highway safety plan, a State  
16          may use up to 25 percent of the amount of funds  
17          made available under this section for a fiscal year to  
18          carry out safety projects under any other section as  
19          provided in the State strategic highway safety plan.

20          “(2) OTHER TRANSPORTATION AND HIGHWAY  
21          SAFETY PLANS.—Nothing in this subsection requires  
22          a State to revise any State process, plan, or program  
23          in effect on the date of enactment of this section.

24          “(f) REPORTS.—

1           “(1) IN GENERAL.—A State shall submit to the  
2 Secretary a report that—

3           “(A) describes progress being made to im-  
4 plement highway safety improvement projects  
5 under this section;

6           “(B) assesses the effectiveness of those im-  
7 provements;

8           “(C) describes the extent to which the im-  
9 provements funded under this section contribute  
10 to the goals of—

11           “(i) reducing the number of fatalities  
12 on roadways;

13           “(ii) reducing the number of roadway-  
14 related injuries;

15           “(iii) reducing the occurrences of  
16 roadway-related accidents;

17           “(iv) mitigating the consequences of  
18 roadway-related accidents; and

19           “(v) reducing the occurrences of road-  
20 way-railroad grade crossing accidents;

21           “(D) describes the most severe hazardous  
22 locations in the State identified under sub-  
23 section (c)(2), including not less than 5 percent  
24 of locations determined by the State to be most

1 hazardous or potentially hazardous in terms of  
2 accidents, injuries, and deaths; and

3 “(E) contains an assessment of—

4 “(i) potential remedies to hazardous  
5 locations identified;

6 “(ii) estimated costs associated with  
7 those remedies; and

8 “(iii) impediments to implementation  
9 other than cost associated with those rem-  
10 edies.

11 “(2) CONTENTS; SCHEDULE.—The Secretary  
12 shall establish the content and schedule for a report  
13 under paragraph (1).

14 “(3) TRANSPARENCY.—The Secretary shall  
15 make reports under paragraph (1) available to the  
16 public through—

17 “(A) the Internet site of the Department;  
18 and

19 “(B) such other means as the Secretary  
20 determines to be appropriate.

21 “(4) WAIVER OF LIABILITY.—Notwithstanding  
22 any other provision of law, no report, survey, sched-  
23 ule, list, or other data compiled or collected for any  
24 purpose directly or indirectly relating to paragraph

1 (1), or published by the Secretary in accordance  
2 with paragraph (3), shall be—

3 “(A) subject to discovery or admitted into  
4 evidence in any Federal or State judicial pro-  
5 ceeding; or

6 “(B) considered for any other purpose in  
7 any action for damages arising from an occur-  
8 rence at a location identified or addressed in  
9 the report, survey, schedule, list, or other collec-  
10 tion of data.

11 “(g) FEDERAL SHARE OF HIGHWAY SAFETY IM-  
12 PROVEMENT PROJECTS.—The Federal share of the cost  
13 of a highway safety improvement project carried out with  
14 funds made available under this section shall be 90 per-  
15 cent.”.

16 (2) ALLOCATIONS OF APPORTIONED FUNDS.—  
17 Section 133(d) of title 23, United States Code, is  
18 amended—

19 (A) by striking paragraph (1);

20 (B) by redesignating paragraphs (2)  
21 through (5) as paragraphs (1) through (4), re-  
22 spectively;

23 (C) in paragraph (2) (as redesignated by  
24 subparagraph (B))—

1 (i) in the first sentence of subpara-  
2 graph (A)—

3 (I) by striking “subparagraphs  
4 (C) and (D)” and inserting “subpara-  
5 graph (C)”;

6 (II) by striking “80 percent” and  
7 inserting “90 percent”;

8 (ii) by striking subparagraph (C);

9 (iii) by redesignating subparagraphs  
10 (D) and (E) as subparagraphs (C) and  
11 (D), respectively; and

12 (iv) in subparagraph (C) (as redesign-  
13 ated by clause (iii)), by adding a period  
14 at the end; and

15 (D) in paragraph (4)(A) (as redesignated  
16 by subparagraph (B)), by striking “paragraph  
17 (2)” and inserting “paragraph (1)”.

18 (3) CONFORMING AMENDMENTS.—

19 (A) The analysis for chapter 1 of title 23,  
20 United States Code, is amended by striking the  
21 item relating to section 148 and inserting the  
22 following:

“148. Highway safety improvement program.”

23 (B) Sections 154, 164, and 409 of title 23,  
24 United States Code, are amended by striking

1           “152” each place it appears and inserting  
2           “148”.

3           (b) APPORTIONMENT OF HIGHWAY SAFETY IM-  
4 PROVEMENT PROGRAM FUNDS.—Section 104(b) of title  
5 23, United States Code, is amended—

6           (1) in the matter preceding paragraph (1), by  
7           inserting after “Improvement program,” the fol-  
8           lowing: “the highway safety improvement program,”;  
9           and

10          (2) by adding at the end the following:

11          “(5) HIGHWAY SAFETY IMPROVEMENT PRO-  
12          GRAM.—

13                 “(A) IN GENERAL.—For the highway safe-  
14                 ty improvement program, in accordance with  
15                 the following formula:

16                         “(i) 25 percent of the apportionments  
17                         in the ratio that—

18                                 “(I) the total lane miles of Fed-  
19                                 eral-aid highways in each State; bears  
20                                 to

21   “(II) the total lane miles of Fed-  
22   eral-aid highways in all States.

23                         “(ii) 40 percent of the apportionments  
24                         in the ratio that—

1           “(I) the total vehicle miles trav-  
2           eled on lanes on Federal-aid highways  
3           in each State; bears to

4           “(II) the total vehicle miles trav-  
5           eled on lanes on Federal-aid highways  
6           in all States.

7           “(iii) 35 percent of the apportion-  
8           ments in the ratio that—

9           “(I) the estimated tax payments  
10           attributable to highway users in each  
11           State paid into the Highway Trust  
12           Fund (other than the Mass Transit  
13           Account) in the latest fiscal year for  
14           which data are available; bears to

15           “(II) the estimated tax payments  
16           attributable to highway users in all  
17           States paid into the Highway Trust  
18           Fund (other than the Mass Transit  
19           Account) in the latest fiscal year for  
20           which data are available.

21           “(B) MINIMUM APPORTIONMENT.—Not-  
22           withstanding subparagraph (A), each State  
23           shall receive a minimum of  $\frac{1}{2}$  of 1 percent of  
24           the funds apportioned under this paragraph.”.

1           (c) ELIMINATION OF HAZARDS RELATING TO HIGH-  
2 WAY FACILITIES.—

3           (1) FUNDS FOR PROTECTIVE DEVICES.—Sec-  
4 tion 130(e) of title 23, United States Code, is  
5 amended—

6           (A) in the heading, by striking “PROTEC-  
7 TIVE DEVICES” and inserting “RAILWAY-HIGH-  
8 WAY CROSSINGS”;

9           (B) by striking the first sentence and in-  
10 sserting the following:

11           “(1) IN GENERAL.—For each fiscal year, at  
12 least \$200,000,000 of the funds authorized and ex-  
13 pended under section 148 shall be available for the  
14 elimination of hazards and the installation of protec-  
15 tive devices at railway-highway crossings.”; and

16           (C) by striking “Sums authorized” and in-  
17 sserting the following:

18           “(2) OBLIGATION.—Sums authorized”.

19           (2) BIENNIAL REPORTS TO CONGRESS.—Sec-  
20 tion 130(g) of title 23, United States Code, is  
21 amended in the third sentence—

22           (A) by inserting “and the Committee on  
23 Commerce, Science, and Transportation,” after  
24 “Public Works”; and

1 (B) by striking “not later than April 1 of  
2 each year” and inserting “every other year”.

3 (3) EXPENDITURE OF FUNDS; APPORTION-  
4 MENT.—Section 130 of title 23, United States Code,  
5 is amended by adding at the end the following:

6 “(k) EXPENDITURE OF FUNDS; APPORTIONMENT.—  
7 Funds made available to carry out this section shall be—

8 “(1) available for expenditure on compilation  
9 and analysis of data in support of activities carried  
10 out under subsection (g); and

11 “(2) apportioned in accordance with section  
12 104(b)(5).”.

13 (d) TRANSITION.—

14 (1) IMPLEMENTATION.—Except as provided in  
15 paragraph (2), to qualify for funding under section  
16 148 of title 23, United States Code (as amended by  
17 subsection (a)), a State shall develop and implement  
18 a State strategic highway safety plan as required by  
19 subsection (c) of that section not later than October  
20 1 of the second fiscal year after the date of enact-  
21 ment of this Act.

22 (2) INTERIM PERIOD.—

23 (A) IN GENERAL.—Before October 1 of the  
24 second fiscal year after the date of enactment  
25 of this Act and until the date on which a State

1 develops and implements a State strategic high-  
2 way safety plan, the Secretary shall apportion  
3 funds to a State for the highway safety im-  
4 provement program and the State may obligate  
5 funds apportioned to the State for the highway  
6 safety improvement program under section 148  
7 for projects that were eligible for funding under  
8 sections 130 and 152 of that title, as in effect  
9 on the day before the date of enactment of this  
10 Act.

11 (B) NO STRATEGIC HIGHWAY SAFETY  
12 PLAN.—If a State has not developed a strategic  
13 highway safety plan by October 1 of the second  
14 fiscal year after the date of enactment of this  
15 Act, but demonstrates to the satisfaction of the  
16 Secretary that progress is being made toward  
17 developing and implementing such a plan, the  
18 Secretary shall continue to apportion funds for  
19 1 additional fiscal year for the highway safety  
20 improvement program under section 148 of title  
21 23, United States Code, to the State, and the  
22 State may continue to obligate funds appor-  
23 tioned to the State under this section for  
24 projects that were eligible for funding under  
25 sections 130 and 152 of that title, as in effect

1 on the day before the date of enactment of this  
2 Act.

3 (C) PENALTY.—If a State has not adopted  
4 a strategic highway safety plan by the date that  
5 is 2 years after the date of enactment of this  
6 Act, funds made available to the State under  
7 section 1101(6) of the Safe, Accountable, Flexi-  
8 ble, and Efficient Transportation Equity Act of  
9 2003 shall be redistributed to other States in  
10 accordance with section 104(b) of title 23,  
11 United States Code.

12 (D) ADDITIONAL PENALTIES.—If, for any  
13 of fiscal years 2005 through 2009, a State fails  
14 to comply with section 148(f)(3) of title 23,  
15 United States Code, not less than 5 percent of  
16 funds made available to a State under para-  
17 graphs (1) and (2) of section 1101 of the Safe,  
18 Accountable, Flexible, and Efficient Transpor-  
19 tation Equity Act of 2003 for the fiscal year  
20 shall be obligated for projects described in sec-  
21 tion 1101(6) of that Act.

22 **SEC. 3. STATE AND COMMUNITY GRANT PROGRAM REVI-**  
23 **SIONS.**

24 Section 402(a) of title 23, United States Code, is  
25 amended—

1           (1) in the fifth sentence, by inserting before the  
 2           period at the end the following: “to reduce the num-  
 3           ber of accidents, injuries, and deaths attributable to  
 4           hazardous locations on public roads”; and

5           (2) by striking the eleventh sentence and insert-  
 6           ing the following: “The criteria shall include, at a  
 7           minimum, criteria on deaths and injuries resulting  
 8           from police pursuits, school bus accidents, and  
 9           speeding, traffic-related deaths and injuries at high-  
 10          way construction sites, and the configuration of com-  
 11          mercial motor vehicles involved in motor vehicle acci-  
 12          dents (including as a result of hazardous or anti-  
 13          quated roadway design).”.

14 **SEC. 4. OBLIGATION OF FUNDS.**

15          Section 104 of title 23, United States Code, is  
 16          amended by adding at the end the following:

17          “(m) PROPORTIONAL OBLIGATION.—

18                 “(1) IN GENERAL.—During each of the periods  
 19                 of fiscal years 2005 through 2006 and fiscal years  
 20                 2007 through 2009, a State shall make available for  
 21                 the highway safety improvement program under sec-  
 22                 tion 148 an amount of obligation authority distrib-  
 23                 uted to the State for Federal-aid highways and high-  
 24                 way safety construction programs that is equal to  
 25                 the amount obtained by multiplying—

1           “(A) the aggregate amount of funds appor-  
2           tioned to the State for the highway safety im-  
3           provement program during the period; and

4           “(B) the proportion that—

5           “(i) the aggregate amount of obliga-  
6           tion authority distributed to the State for  
7           Federal-aid highways and highway safety  
8           construction programs during the period;  
9           bears to

10           “(ii) the total of the sums apportioned  
11           to the State for Federal-aid highways and  
12           highway safety construction programs (ex-  
13           cluding sums not subject to an obligation  
14           limitation) during the period.

15           “(2) JOINT RESPONSIBILITY.—Each State and  
16           the Secretary shall jointly ensure compliance with  
17           paragraph (1).”.

18 **SEC. 5. STUDY ON INCREASED SPEEDS.**

19           (a) STUDY.—

20           (1) IN GENERAL.—Not later than 2 years after  
21           the date of enactment of this Act, the Secretary of  
22           Transportation (referred to in this section as the  
23           “Secretary”) shall conduct a study to examine the  
24           effects of increased speed limits enacted by States  
25           after 1995.

1           (2) REQUIREMENTS.—The study shall identify  
2       empirical data regarding—

3           (A) increases or decreases in driving  
4       speeds on Interstate highways since 1995;

5           (B) correlations between changes in driv-  
6       ing speeds and accident, injury, and fatality  
7       rates;

8           (C) correlations between posted speed lim-  
9       its and observed driving speeds;

10          (D) the overall impact on motor vehicle  
11       safety resulting from the repeal of the national  
12       maximum speed limit in 1995; and

13          (E) such other matters as the Secretary  
14       determines to be appropriate.

15       (b) REPORT.—Not later than 1 year after the date  
16       of completion of the study under subsection (a), the Sec-  
17       retary shall submit to Congress a report that describes  
18       the results of the study.

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