

## **23 USC 174: State human capital plans**

Text contains those laws in effect on June 22, 2022

### **From Title 23-HIGHWAYS**

CHAPTER 1-FEDERAL-AID HIGHWAYS

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## **§174. State human capital plans**

(a) In General - Not later than 18 months after the date of enactment of this section, the Secretary shall encourage each State to develop a voluntary plan, to be known as a "human capital plan", that provides for the immediate and long-term personnel and workforce needs of the State with respect to the capacity of the State to deliver transportation and public infrastructure eligible under this title.

### (b) Plan Contents -

(1) In General - A human capital plan developed by a State under subsection (a) shall, to the maximum extent practicable, take into consideration-

- (A) significant transportation workforce trends, needs, issues, and challenges with respect to the State;
- (B) the human capital policies, strategies, and performance measures that will guide the transportation-related workforce investment decisions of the State;
- (C) coordination with educational institutions, industry, organized labor, workforce boards, and other agencies or organizations to address the human capital transportation needs of the State;
- (D) a workforce planning strategy that identifies current and future human capital needs, including the knowledge, skills, and abilities needed to recruit and retain skilled workers in the transportation industry;
- (E) a human capital management strategy that is aligned with the transportation mission, goals, and organizational objectives of the State;
- (F) an implementation system for workforce goals focused on addressing continuity of leadership and knowledge sharing across the State;
- (G) an implementation system that addresses workforce competency gaps, particularly in mission-critical occupations;
- (H) in the case of public-private partnerships or other alternative project delivery methods to carry out the transportation program of the State, a description of workforce needs-
  - (i) to ensure that the transportation mission, goals, and organizational objectives of the State are fully carried out; and
  - (ii) to ensure that procurement methods provide the best public value;
- (I) a system for analyzing and evaluating the performance of the State department of transportation with respect to all aspects of human capital management policies, programs, and activities; and
- (J) the manner in which the plan will improve the ability of the State to meet the national policy in support of performance management established under section 150.

(2) Planning Period - If a State develops a human capital plan under subsection (a), the plan shall address a 5-year forecast period.

(c) Plan Updates.- If a State develops a human capital plan under subsection (a), the State shall update the plan less frequently than once every 5 years.

### (d) Relationship to Long-Range Plan -

(1) In General.-Subject to paragraph (2), a human capital plan developed by a State under subsection (a) may be developed separately from, or incorporated into, the long-range statewide transportation plan required under section 135.

(2) Effect Of Section.-Nothing in this section requires a State, or authorizes the Secretary to require a State, to incorporate a human capital plan into the long-range statewide transportation plan required under section 135.

(e) Public Availability.-Each State that develops a human capital plan under subsection (a) shall make a copy of the plan available to the public in a user-friendly format on the website of the State department of transportation.

(f) Savings Provision - Nothing in this section prevents a State from carrying out transportation workforce planning-

- (1) not described in this section; or
- (2) not in accordance with this section.

(Added Pub. L. 117–58, div. A, title I, §11203(a), Nov. 15, 2021, 135 Stat. 519 .)

**EDITORIAL NOTES**

**REFERENCES IN TEXT**

The date of enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 117–58, which was approved Nov. 15, 2021.

**STATUTORY NOTES AND SUBSIDIARIES**

**EFFECTIVE DATE**

Section effective Oct. 1, 2021, see section 10003 of Pub. L. 117–58, set out as an Effective Date of 2021 Amendment note under section 101 of this title.