SEC. 1640. HOV FACILITY REVIEW.

Section 166 of title 23, United States Code, is further amended by adding at the end the following:

“(h) REVIEW AND REMOVAL.—If the Secretary of Transportation determines appropriate, 10 years after construction of an HOV facility operated in compliance with this section, a State may—

“(1) conduct a review of such facility; and

“(2) remove such facility and repay any funds associated with such facility.”.

SEC. 2.