

Subsec. (b). Pub. L. 109–59, §3015(a)(1), (2)(B), redesignated subsec. (a)(2) as (b), inserted heading, and struck out former subsec. (b) which related to apportionment of amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c) of this title to States for grants and contracts consistent with the purposes of sections 5303–5306, 5312, 5315, 5317, and 5322 of this title.

Subsec. (c). Pub. L. 109–59, §3015(a)(3), reenacted heading without change and amended text of subsec. (c) generally. Prior to amendment, text read as follows: “When there would be a clear and direct financial benefit to an entity under a grant or contract financed under subsection (a) of this section, the Secretary shall establish a United States Government share consistent with the benefit.”

1998—Subsec. (a)(1). Pub. L. 105–178, §3029(b)(4), substituted “The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(d)” for “Fifty percent of the amounts made available under section 5338(g)(3)”.

Subsec. (b)(1). Pub. L. 105–178, §3029(b)(5), substituted “The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c)” for “Fifty percent of the amounts made available under section 5338(g)(3)”.

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

### § 5314. Technical assistance and standards development

#### (a) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—

(1) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to carry out activities that the Secretary determines will assist recipients of assistance under this chapter to—

- (A) more effectively and efficiently provide public transportation service;
- (B) administer funds received under this chapter in compliance with Federal law; and
- (C) improve public transportation.

(2) ELIGIBLE ACTIVITIES.—The activities carried out under paragraph (1) may include—

- (A) technical assistance; and
- (B) the development of voluntary and consensus-based standards and best practices by the public transportation industry, including standards and best practices for safety, fare collection, Intelligent Transportation Systems, accessibility, procurement, security, asset management to maintain a state of good repair, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

(b) TECHNICAL ASSISTANCE.—The Secretary, through a competitive bid process, may enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity to provide public transportation-related technical assistance under this section. The Secretary may enter into such contracts, cooperative agreements, and other agreements to assist providers of public transportation to—

- (1) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)

through technical assistance, demonstration programs, research, public education, and other activities related to complying with such Act;

(2) comply with human services transportation coordination requirements and to enhance the coordination of Federal resources for human services transportation with those of the Department of Transportation through technical assistance, training, and support services related to complying with such requirements;

(3) meet the transportation needs of elderly individuals;

(4) increase transit ridership in coordination with metropolitan planning organizations and other entities through development around public transportation stations through technical assistance and the development of tools, guidance, and analysis related to market-based development around transit stations;

(5) address transportation equity with regard to the effect that transportation planning, investment and operations have for low-income and minority individuals; and

(6) any other technical assistance activity that the Secretary determines is necessary to advance the interests of public transportation.

(c) ANNUAL REPORT ON TECHNICAL ASSISTANCE.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

- (1) a description of each project that received assistance under this section during the preceding fiscal year;
- (2) an evaluation of the activities carried out by each organization that received assistance under this section during the preceding fiscal year; and
- (3) a proposal for allocations of amounts for assistance under this section for the subsequent fiscal year.

#### (d) GOVERNMENT SHARE OF COSTS.—

(1) IN GENERAL.—The Government share of the cost of an activity carried out using a grant under this section may not exceed 80 percent.

(2) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an activity carried out using a grant under this section may be derived from in-kind contributions.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 812; Pub. L. 105–178, title III, §§3016, 3029(b)(6), June 9, 1998, 112 Stat. 361, 372; Pub. L. 109–59, title III, §§3002(b)(4), 3016(a), (b), Aug. 10, 2005, 119 Stat. 1545, 1598, 1599; Pub. L. 110–244, title II, §201(g), June 6, 2008, 122 Stat. 1610; Pub. L. 112–141, div. B, §20012, July 6, 2012, 126 Stat. 690.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5314(a) .....	49 App.:1622(b) (1)–(7).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §26(b)(1)–(8) (related to this subsection); added Dec. 18, 1991, Pub. L. 102–240, §3030, 105 Stat. 2118.
5314(b) .....	49 App.:1622(b)(8) (related to this subsection).	

In subsection (a)(2), the word “subsection” in the source provision is translated as if it were “paragraph” to reflect the apparent intent of Congress.

In subsection (a)(3), the words “conditions, requirements, and provisions” are omitted as being included in “terms”.

In subsection (a)(4)(C), the word “section” in the source provision is translated as if it were “paragraph” to reflect the apparent intent of Congress.

## REFERENCES IN TEXT

The Americans with Disabilities Act of 1990, referred to in subsec. (b)(1), is Pub. L. 101–336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of Title 42 and Tables.

## AMENDMENTS

2012—Pub. L. 112–141 amended section generally. Prior to amendment, section related to national research programs.

2008—Subsec. (a)(3). Pub. L. 110–244, which directed substitution of “section 5333(b)” for “section 5323(a)(1)(D)” in subsec. (a)(3) of section 5314, without specifying the Code title to be amended, was executed by making the substitution in subsec. (a)(3) of this section, to reflect the probable intent of Congress.

2005—Pub. L. 109–59, §3016(a)(1), struck out “planning and” before “research” in section catchline.

Subsec. (a)(1). Pub. L. 109–59, §3016(a)(2), substituted “section 5338(d)” for “subsections (d) and (h)(7) of section 5338 of this title” and “, contracts, cooperative agreements, or other agreements” for “and contracts” and struck out “5303–5306,” before “5312,” and “5317,” before “and 5322”.

Subsec. (a)(2). Pub. L. 109–59, §3016(a)(3), substituted “The Secretary shall” for “Of the amounts made available under paragraph (1) of this subsection, the Secretary shall make available at least \$3,000,000 to”.

Pub. L. 109–59, §3002(b)(4), substituted “public transportation-related” for “mass transportation-related” and “public transportation” for “mass transportation”.

Subsec. (a)(4)(A). Pub. L. 109–59, §3002(b)(4), substituted “public transportation” for “mass transportation”.

Subsec. (a)(4)(B), (C). Pub. L. 109–59, §3016(a)(4), (5), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: “The Secretary shall establish an Industry Technical Panel composed of representatives of transportation suppliers and operators and others involved in technology development. A majority of the Panel members shall represent the supply industry. The Panel shall assist the Secretary in identifying priority technology development areas and in establishing guidelines for project development, project cost sharing, and project execution.”

Subsec. (a)(6). Pub. L. 109–59, §3016(a)(6), added par. (6).

Subsec. (b). Pub. L. 109–59, §3016(a)(7), substituted “, contract, cooperative agreement, or other agreement under subsection (a) or section 5312,” for “or contract financed under subsection (a) of this section.”

Subsec. (c). Pub. L. 109–59, §3016(b), added subsec. (c). 1998—Subsec. (a)(1). Pub. L. 105–178, §3029(b)(6), substituted “subsections (d) and (h)(7) of section 5338” for “section 5338(g)(4)”.

Subsec. (a)(2). Pub. L. 105–178, §3016, substituted “\$3,000,000” for “\$2,000,000”.

## EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

## § 5315. Private sector participation

(a) GENERAL PURPOSES.—In the interest of fulfilling the general purposes of this chapter under section 5301(b), the Secretary shall—

(1) better coordinate public and private sector-provided public transportation services;

(2) promote more effective utilization of private sector expertise, financing, and operational capacity to deliver costly and complex new fixed guideway capital projects; and

(3) promote transparency and public understanding of public-private partnerships affecting public transportation.

(b) ACTIONS TO PROMOTE BETTER COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR PROVIDERS OF PUBLIC TRANSPORTATION.—The Secretary shall—

(1) provide technical assistance to recipients of Federal transit grant assistance, at the request of a recipient, on practices and methods to best utilize private providers of public transportation; and

(2) educate recipients of Federal transit grant assistance on laws and regulations under this chapter that impact private providers of public transportation.

(c) ACTIONS TO PROVIDE TECHNICAL ASSISTANCE FOR ALTERNATIVE PROJECT DELIVERY METHODS.—Upon request by a sponsor of a new fixed guideway capital project, the Secretary shall—

(1) identify best practices for public-private partnerships models in the United States and in other countries;

(2) develop standard public-private partnership transaction model contracts; and

(3) perform financial assessments that include the calculation of public and private benefits of a proposed public-private partnership transaction.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 813; Pub. L. 104–287, §5(13), Oct. 11, 1996, 110 Stat. 3390; Pub. L. 105–178, title III, §3017(a), June 9, 1998, 112 Stat. 361; Pub. L. 105–206, title IX, §9009(l), July 22, 1998, 112 Stat. 857; Pub. L. 109–59, title III, §3017, Aug. 10, 2005, 119 Stat. 1600; Pub. L. 112–141, div. B, §20013(a), July 6, 2012, 126 Stat. 692.)

## HISTORICAL AND REVISION NOTES

## PUB. L. 103–272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5315(a) .....	49 App.:1625(a) (1st–3d sentences).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §29(a)–(c); added Dec. 18, 1991, Pub. L. 102–240, §6022, 105 Stat. 2185.
5315(b) .....	49 App.:1625(a) (last sentence).	
5315(c) .....	49 App.:1625(c).	
5315(d) .....	49 App.:1625(b).	

In subsection (a), before clause (1), the word “conduct” is substituted for “administer” for consistency in this section.