

tion Reauthorization Act,” after “approve” in first sentence.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

§ 47136. Inherently low-emission airport vehicle pilot program

(a) **IN GENERAL.**—The Secretary of Transportation shall carry out a pilot program at not more than 10 public-use airports under which the sponsors of such airports may use funds made available under section 48103 for use at such airports to carry out inherently low-emission vehicle activities. Notwithstanding any other provision of this subchapter, inherently low-emission vehicle activities shall for purposes of the pilot program be treated as eligible for assistance under this subchapter.

(b) **LOCATION IN AIR QUALITY NONATTAINMENT AREAS.**—

(1) **IN GENERAL.**—A public-use airport shall be eligible for participation in the pilot program only if the airport is located in an air quality nonattainment area (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2))).

(2) **SHORTAGE OF CANDIDATES.**—If the Secretary receives an insufficient number of applications from public-use airports located in such areas, then the Secretary may consider applications from public-use airports that are not located in such areas.

(c) **SELECTION CRITERIA.**—In selecting from among applicants for participation in the pilot program, the Secretary shall give priority consideration to applicants that will achieve the greatest air quality benefits measured by the amount of emissions reduced per dollar of funds expended under the pilot program.

(d) **UNITED STATES GOVERNMENT'S SHARE.**—Notwithstanding any other provision of this subchapter, the United States Government's share of the costs of a project carried out under the pilot program shall be 50 percent.

(e) **MAXIMUM AMOUNT.**—Not more than \$2,000,000 may be expended under the pilot program at any single public-use airport.

(f) **TECHNICAL ASSISTANCE.**—

(1) **IN GENERAL.**—The sponsor of a public-use airport carrying out inherently low-emission vehicle activities under the pilot program may use not more than 10 percent of the amounts made available for expenditure at the airport in a fiscal year under the pilot program to receive technical assistance in carrying out such activities.

(2) **UNIVERSITY TRANSPORTATION CENTER.**—To the maximum extent practicable, participants in the pilot program shall use a university transportation center (as defined in section 5506¹ of this title) in the region of the airport

to receive technical assistance described in paragraph (1).

(g) **MATERIALS IDENTIFYING BEST PRACTICES.**—The Administrator may develop and make available materials identifying best practices for carrying out low-emission vehicle activities based on the projects carried out under the pilot program and other sources.

(h) **REPORT TO CONGRESS.**—Not later than 18 months after the date of the enactment of this section, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) an evaluation of the effectiveness of the pilot program;

(2) an identification of other public-use airports that expressed an interest in participating in the pilot program; and

(3) a description of the mechanisms used by the Secretary to ensure that the information and know-how gained by participants in the pilot program is transferred among the participants and to other interested parties, including other public-use airports.

(i) **INHERENTLY LOW-EMISSION VEHICLE ACTIVITY DEFINED.**—In this section, the term “inherently low-emission vehicle activity” means—

(1) the construction of infrastructure or modifications at public-use airports to enable the delivery of fuel and services necessary for the use of vehicles that are certified as inherently low-emission vehicles under title 40 of the Code of Federal Regulations and that—

(A) operate exclusively on compressed natural gas, liquefied natural gas, liquefied petroleum gas, electricity, hydrogen, or a blend at least 85 percent of which is methanol;

(B) are labeled in accordance with section 88.312-93(c) of such title; and

(C) are located or primarily used at public-use airports;

(2) the construction of infrastructure or modifications at public-use airports to enable the delivery of fuel and services necessary for the use of nonroad vehicles that—

(A) operate exclusively on compressed natural gas, liquefied natural gas, liquefied petroleum gas, electricity, hydrogen, or a blend at least 85 percent of which is methanol;

(B) meet or exceed the standards set forth in section 86.1708-99 of such title or the standards set forth in section 89.112(a) of such title, and are in compliance with the requirements of section 89.112(b) of such title; and

(C) are located or primarily used at public-use airports;

(3) the payment of that portion of the cost of acquiring vehicles described in this subsection that exceeds the cost of acquiring other vehicles or engines that would be used for the same purpose; or

(4) the acquisition of technological capital equipment to enable the delivery of fuel and services necessary for the use of vehicles described in paragraph (1).

¹ See References in text note below.

(Added Pub. L. 106-181, title I, §133(a), Apr. 5, 2000, 114 Stat. 81; amended Pub. L. 112-95, title V, §511(d), Feb. 14, 2012, 126 Stat. 108.)

REFERENCES IN TEXT

Section 5506 of this title, referred to in subsec. (f)(2), was repealed by Pub. L. 112-141, div. E, title II, §52010(a), July 6, 2012, 126 Stat. 887.

The date of the enactment of this section, referred to in subsec. (h), is the date of enactment of Pub. L. 106-181, which was approved Apr. 5, 2000.

AMENDMENTS

2012—Subsec. (f)(2). Pub. L. 112-95 substituted “University transportation center” for “Eligible consortium” in heading and “a university transportation center” for “an eligible consortium” in text.

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

§ 47136a. Zero-emission airport vehicles and infrastructure

(a) **IN GENERAL.**—The Secretary of Transportation may establish a pilot program under which the sponsor of a public-use airport may use funds made available under section 47117 or section 48103 for use at such airport to carry out activities associated with the acquisition and operation of zero-emission vehicles (as defined in section 88.102-94 of title 40, Code of Federal Regulations), including the construction or modification of infrastructure to facilitate the delivery of fuel and services necessary for the use of such vehicles.

(b) **LOCATION IN AIR QUALITY NONATTAINMENT AREAS.**—

(1) **IN GENERAL.**—A public-use airport may be eligible for participation in the program only if the airport is located in a nonattainment area (as defined in section 171 of the Clean Air Act (42 U.S.C. 7501)).

(2) **SHORTAGE OF APPLICANTS.**—If the Secretary receives an insufficient number of applications from public-use airports located in such areas, the Secretary may permit public-use airports that are not located in such areas to participate in the program.

(c) **SELECTION CRITERIA.**—In selecting from among applicants for participation in the program, the Secretary shall give priority consideration to applicants that will achieve the greatest air quality benefits measured by the amount of emissions reduced per dollar of funds expended under the program.

(d) **FEDERAL SHARE.**—Notwithstanding any other provision of this subchapter, the Federal share of the costs of a project carried out under the program shall be 50 percent.

(e) **TECHNICAL ASSISTANCE.**—

(1) **IN GENERAL.**—The sponsor of a public-use airport carrying out activities funded under the program may not use more than 10 percent of the amounts made available under the program in any fiscal year for technical assistance in carrying out such activities.

(2) **USE OF UNIVERSITY TRANSPORTATION CENTER.**—Participants in the program may use a university transportation center receiving

grants under section 5506 in the region of the airport to receive the technical assistance described in paragraph (1).

(f) **MATERIALS IDENTIFYING BEST PRACTICES.**—The Secretary may develop and make available materials identifying best practices for carrying out activities funded under the program based on projects carried out under section 47136 and other sources.

(Added Pub. L. 112-95, title V, §511(a), Feb. 14, 2012, 126 Stat. 107.)

§ 47137. Airport security program

(a) **GENERAL AUTHORITY.**—To improve security at public airports in the United States, the Secretary of Transportation shall carry out not less than one project to test and evaluate innovative aviation security systems and related technology.

(b) **PRIORITY.**—In carrying out this section, the Secretary shall give the highest priority to a request from an eligible sponsor for a grant to undertake a project that—

(1) evaluates and tests the benefits of innovative aviation security systems or related technology, including explosives detection systems, for the purpose of improving aviation and aircraft physical security, access control, and passenger and baggage screening; and

(2) provides testing and evaluation of airport security systems and technology in an operational, testbed environment.

(c) **MATCHING SHARE.**—Notwithstanding section 47109, the United States Government’s share of allowable project costs for a project under this section shall be 100 percent.

(d) **TERMS AND CONDITIONS.**—The Secretary may establish such terms and conditions as the Secretary determines appropriate for carrying out a project under this section, including terms and conditions relating to the form and content of a proposal for a project, project assurances, and schedule of payments.

(e) **ADMINISTRATION.**—The Secretary, in cooperation with the Secretary of Homeland Security, shall administer the program authorized by this section.

(f) **ELIGIBLE SPONSOR DEFINED.**—In this section, the term “eligible sponsor” means a non-profit corporation composed of a consortium of public and private persons, including a sponsor of a primary airport, with the necessary engineering and technical expertise to successfully conduct the testing and evaluation of airport and aircraft related security systems.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts made available to the Secretary under section 47115 in a fiscal year, the Secretary shall make available not less than \$5,000,000 for the purpose of carrying out this section.

(Added Pub. L. 106-181, title I, §134(a), Apr. 5, 2000, 114 Stat. 83; amended Pub. L. 108-176, title I, §157, Dec. 12, 2003, 117 Stat. 2508.)

AMENDMENTS

2003—Subsecs. (e) to (g). Pub. L. 108-176 added subsec. (e) and redesignated former subsecs. (e) and (f) as (f) and (g), respectively.