

program authorized under section 166 of Pub. L. 108-199, increased the program to 5 pilot projects, and required reports on the results of the projects.

Pub. L. 108-199, div. F, title I, §166, Jan. 23, 2004, 118 Stat. 309, required the Secretary to establish a pilot program consisting of 3 pilot projects related to cooperative procurement of major capital equipment and required reports on the results of the projects.

#### LOCAL SHARE

Pub. L. 105-178, title III, §3011, June 9, 1998, 112 Stat. 357, as amended by Pub. L. 108-202, §9(u), Feb. 29, 2004, 118 Stat. 489; Pub. L. 108-224, §7(u), Apr. 30, 2004, 118 Stat. 637; Pub. L. 108-263, §7(u), June 30, 2004, 118 Stat. 708; Pub. L. 108-280, §7(u), July 30, 2004, 118 Stat. 886; Pub. L. 108-310, §8(u), Sept. 30, 2004, 118 Stat. 1158; Pub. L. 109-14, §7(t), May 31, 2005, 119 Stat. 334; Pub. L. 109-20, §7(s), July 1, 2005, 119 Stat. 356; Pub. L. 109-35, §7(s), July 20, 2005, 119 Stat. 389; Pub. L. 109-37, §7(s), July 22, 2005, 119 Stat. 404; Pub. L. 109-40, §7(s), July 28, 2005, 119 Stat. 421, allowed recipients of assistance under section 5307 or 5309 of this title to use proceeds from the issuance of revenue bonds as part of the local matching funds for a capital project for fiscal years 1999 to 2004 and from Oct. 1, 2004, to July 30, 2005.

#### PILOT PROGRAM FOR INTERCITY RAIL INFRASTRUCTURE INVESTMENT FROM MASS TRANSIT ACCOUNT OF HIGHWAY TRUST FUND

Pub. L. 105-178, title III, §3021, June 9, 1998, 112 Stat. 363; as amended by Pub. L. 105-206, title IX, §9009(m), July 22, 1998, 112 Stat. 857; Pub. L. 105-277, div. A, §101(g) [title III, §354], Oct. 21, 1998, 112 Stat. 2681-439, 2681-476; Pub. L. 106-69, title III, §323, Oct. 9, 1999, 113 Stat. 1020, required the Secretary of Transportation to establish a pilot program to determine the benefits of using funds from the Mass Transit Account of the Highway Trust Fund for intercity passenger rail and required a report evaluating the program to be submitted no later than Oct. 1, 2002.

#### CONTINUATION OF OPERATING ASSISTANCE TO CERTAIN LARGER URBANIZED AREAS

Pub. L. 105-178, title III, §3027(c), June 9, 1998, 112 Stat. 366; as amended by Pub. L. 105-206, title IX, §9009(o)(1), July 22, 1998, 112 Stat. 858; Pub. L. 105-277, div. A, §101(g) [title III, §360], Oct. 21, 1998, 112 Stat. 2681-439, 2681-477; Pub. L. 106-31, title VI, §6004, May 21, 1999, 113 Stat. 113; Pub. L. 106-346, §101(a) [title III, §341], Oct. 23, 2000, 114 Stat. 1356, 1356A-32; Pub. L. 108-199, div. F, title I, §176, Jan. 23, 2004, 118 Stat. 311, authorized the Secretary of Transportation to continue helping to finance mass transportation operating costs in certain urban areas for the period beginning on June 9, 1998, and ending no later than 3 years after that date.

#### [§ 5308. Repealed. Pub. L. 112-141, div. B, § 20002(a), July 6, 2012, 126 Stat. 622]

Section, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 800; Pub. L. 105-178, title III, §3008(a), (c), June 9, 1998, 112 Stat. 348; Pub. L. 105-206, title IX, §9009(f), July 22, 1998, 112 Stat. 855; Pub. L. 109-59, title III, §3010(a), Aug. 10, 2005, 119 Stat. 1572, related to a grant program for clean fuel buses.

#### EFFECTIVE DATE OF REPEAL

Repeal 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.

#### NATIONAL FUEL CELL BUS TECHNOLOGY DEVELOPMENT PROGRAM

Pub. L. 109-59, title III, §3045, Aug. 10, 2005, 119 Stat. 1705, which provided for the establishment of a national fuel cell bus technology development program, was repealed by Pub. L. 112-141, div. B, § 20002(c)(4), July 6, 2012, 126 Stat. 622.

#### § 5309. Fixed guideway capital investment grants

(a) DEFINITIONS.—In this section, the following definitions shall apply:

(1) APPLICANT.—The term “applicant” means a State or local governmental authority that applies for a grant under this section.

(2) CORE CAPACITY IMPROVEMENT PROJECT.—The term “core capacity improvement project” means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent. The term does not include project elements designed to maintain a state of good repair of the existing fixed guideway system.

(3) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term “corridor-based bus rapid transit project” means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems, including defined stations; traffic signal priority for public transportation vehicles; short headway bidirectional services for a substantial part of weekdays and weekend days; and any other features the Secretary may determine support a long-term corridor investment, but the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(4) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term “fixed guideway bus rapid transit project” means a bus capital project—

(A) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(B) that represents a substantial investment in a single route in a defined corridor or subarea; and

(C) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(i) defined stations;

(ii) traffic signal priority for public transportation vehicles;

(iii) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(iv) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(5) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term “new fixed guideway capital project” means—

(A) a new fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(B) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(6) PROGRAM OF INTERRELATED PROJECTS.—The term “program of interrelated projects” means the simultaneous development of—