

lows: “\$3,750,000 for the period beginning October 1, 2010, and ending December 31, 2010.”

Pub. L. 111-147 added subpar. (F).

2008—Subsec. (g)(1)(A). Pub. L. 110-244, § 201(e)(1), (2), substituted “for a capital project or project administrative expenses” for “for any purpose other than operating assistance” and struck out “capital” after “net”.

Subsec. (g)(1)(B). Pub. L. 110-244, § 201(e)(2), struck out “capital” after “net”.

Subsec. (i)(1). Pub. L. 110-244, § 201(e)(3), substituted “Section 5333(b) applies” for “Sections 5323(a)(1)(D) and 5333(b) of this title apply”.

2005—Subsec. (a). Pub. L. 109-59, § 3013(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “In this section, ‘recipient’ includes a State authority, a local governmental authority, a nonprofit organization, and an operator of mass transportation service.”

Subsec. (b). Pub. L. 109-59, § 3013(b), reenacted heading without change and amended text of subsec. (b) generally. Prior to amendment, text read as follows:

“(1) The Secretary of Transportation may make grants for transportation projects that are included in a State program of mass transportation service projects (including service agreements with private providers of mass transportation service) for areas other than urbanized areas. The program shall be submitted annually to the Secretary. The Secretary may approve the program only if the Secretary finds that the program provides a fair distribution of amounts in the State, including Indian reservations, and the maximum feasible coordination of mass transportation service assisted under this section with transportation service assisted by other United States Government sources.

“(2) The Secretary of Transportation shall carry out a rural transportation assistance program in nonurbanized areas. In carrying out this paragraph, the Secretary may make grants and contracts for transportation research, technical assistance, training, and related support services in nonurbanized areas.”

Subsec. (c). Pub. L. 109-59, § 3013(c), amended heading and text of subsec. (c) generally. Prior to amendment, text read as follows: “The Secretary of Transportation shall apportion amounts made available under section 5338(a) of this title so that the chief executive officer of each State receives an amount equal to the total amount apportioned multiplied by a ratio equal to the population of areas other than urbanized areas in a State divided by the population of all areas other than urbanized areas in the United States, as shown by the most recent of the following: the latest Government census, the population estimate the Secretary of Commerce prepares after the 4th year after the date the latest census is published, or the population estimate the Secretary of Commerce prepares after the 8th year after the date the latest census is published. The amount may be obligated by the chief executive officer for 2 years after the fiscal year in which the amount is apportioned. An amount that is not obligated at the end of that period shall be reapportioned among the States for the next fiscal year.”

Subsec. (e). Pub. L. 109-59, § 3013(d), inserted “, Planning,” after “Administration” in heading and in text struck out “(1)” before “The Secretary”, substituted “subrecipient” for “recipient”, and struck out par. (2) which read as follows: “Except as provided in this section, a State carrying out a program of operating assistance under this section may not limit the level or extent of use of the Government grant for the payment of operating expenses.”

Subsec. (e)(1). Pub. L. 109-59, § 3002(b)(4), substituted “public transportation” for “mass transportation” in two places.

Subsec. (f)(1). Pub. L. 109-59, § 3013(e)(1), inserted heading, struck out “after September 30, 1993,” after “in each fiscal year” in introductory provisions and realigned margins of subpars. (A) to (D).

Subsec. (f)(1)(E). Pub. L. 109-59, § 3002(b)(4), substituted “public transportation” for “mass transportation”.

Subsec. (f)(2). Pub. L. 109-59, § 3013(e)(2), inserted heading and substituted “Secretary, after consultation with affected intercity bus service providers,” for “Secretary of Transportation”.

Subsec. (g). Pub. L. 109-59, § 3013(f), substituted “Government” for “Government’s” in heading and amended text generally. Prior to amendment, text read as follows:

“(1) In this subsection, ‘amounts of the Government or revenues’ do not include amounts received under a service agreement with a State or local social service agency or a private social service organization.

“(2) A grant of the Government for a capital project under this section may not be more than 80 percent of the net cost of the project, as determined by the Secretary of Transportation. A grant to pay a subsidy for operating expenses may not be more than 50 percent of the net cost of the operating expense project. At least 50 percent of the remainder shall be provided in cash from sources other than amounts of the Government or revenues from providing mass transportation. Transit system amounts that make up the remainder shall be from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.”

Subsec. (h). Pub. L. 109-59, § 3013(g), redesignated subsec. (i) as (h) and struck out heading and text of former subsec. (h). Text read as follows: “An amount made available under this section may be used for operating assistance.”

Subsec. (i). Pub. L. 109-59, § 3013(g)(2), redesignated subsec. (j) as (i). Former subsec. (i) redesignated (h).

Subsec. (i)(1). Pub. L. 109-59, § 3013(h), which directed amendment of subsec. (j)(1) by substituting “if the Secretary of Labor utilizes a special warranty that provides a fair and equitable arrangement to protect the interests of employees” for “but the Secretary of Labor may waive the application of section 5333(b)”, was executed by making the substitution in subsec. (i)(1) to reflect the probable intent of Congress and the redesignation of subsec. (j) as (i) by Pub. L. 109-59, § 3013(g)(2). See above.

Subsec. (j). Pub. L. 109-59, § 3013(g)(2), redesignated subsec. (j) as (i).

1998—Pub. L. 105-178, § 3014(a)(1), substituted “Formula grants” for “Financial assistance” in section catchline.

Subsec. (f)(1). Pub. L. 105-178, § 3014(a)(2), struck out “10 percent of the amount made available in the fiscal year ending September 30, 1993, and” before “15 percent of the amount” in introductory provisions.

#### EFFECTIVE AND TERMINATION DATES OF 2012 AMENDMENT

Amendment by section 20010 of Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out a note under section 101 of Title 23, Highways.

Amendment by section 113004 of Pub. L. 112-141 effective July 1, 2012, see section 114001 of Pub. L. 112-141, set out as a note under section 5305 of this title.

Amendment by Pub. L. 112-140 to cease to be effective on July 6, 2012, with text as amended by Pub. L. 112-140 to revert back to read as it did on the day before June 29, 2012, and amendments by Pub. L. 112-141 to be executed as if Pub. L. 112-140 had not been enacted, see section 1(c) of Pub. L. 112-140, set out as a note under section 101 of Title 23, Highways.

#### § 5312. Research, development, demonstration, and deployment projects

(a) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROJECTS.—

(1) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements for research, development, demonstration, and deployment projects, and evaluation of research and technology of national significance to public transportation, that the Secretary determines will improve public transportation.

(2) AGREEMENTS.—In order to carry out paragraph (1), the Secretary may make grants to and enter into contracts, cooperative agreements, and other agreements with—

- (A) departments, agencies, and instrumentalities of the Government, including Federal laboratories;
- (B) State and local governmental entities;
- (C) providers of public transportation;
- (D) private or non-profit organizations;
- (E) institutions of higher education; and
- (F) technical and community colleges.

(3) APPLICATION.—

(A) IN GENERAL.—To receive a grant, contract, cooperative agreement, or other agreement under this section, an entity described in paragraph (2) shall submit an application to the Secretary.

(B) FORM AND CONTENTS.—An application under subparagraph (A) shall be in such form and contain such information as the Secretary may require, including—

- (i) a statement of purpose detailing the need being addressed;
- (ii) the short- and long-term goals of the project, including opportunities for future innovation and development, the potential for deployment, and benefits to riders and public transportation; and
- (iii) the short- and long-term funding requirements to complete the project and any future objectives of the project.

(b) RESEARCH.—

(1) IN GENERAL.—The Secretary may make a grant to or enter into a contract, cooperative agreement, or other agreement under this section with an entity described in subsection (a)(2) to carry out a public transportation research project that has as its ultimate goal the development and deployment of new and innovative ideas, practices, and approaches.

(2) PROJECT ELIGIBILITY.—A public transportation research project that receives assistance under paragraph (1) shall focus on—

- (A) providing more effective and efficient public transportation service, including services to—
  - (i) seniors;
  - (ii) individuals with disabilities; and
  - (iii) low-income individuals;
- (B) mobility management and improvements and travel management systems;
- (C) data and communication system advancements;
- (D) system capacity, including—
  - (i) train control;
  - (ii) capacity improvements; and
  - (iii) performance management;
- (E) capital and operating efficiencies;
- (F) planning and forecasting modeling and simulation;
- (G) advanced vehicle design;
- (H) advancements in vehicle technology;
- (I) asset maintenance and repair systems advancement;
- (J) construction and project management;
- (K) alternative fuels;
- (L) the environment and energy efficiency;
- (M) safety improvements; or

(N) any other area that the Secretary determines is important to advance the interests of public transportation.

(c) INNOVATION AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary may make a grant to or enter into a contract, cooperative agreement, or other agreement under this section with an entity described in subsection (a)(2) to carry out a public transportation innovation and development project that seeks to improve public transportation systems nationwide in order to provide more efficient and effective delivery of public transportation services, including through technology and technological capacity improvements.

(2) PROJECT ELIGIBILITY.—A public transportation innovation and development project that receives assistance under paragraph (1) shall focus on—

- (A) the development of public transportation research projects that received assistance under subsection (b) that the Secretary determines were successful;
- (B) planning and forecasting modeling and simulation;
- (C) capital and operating efficiencies;
- (D) advanced vehicle design;
- (E) advancements in vehicle technology;
- (F) the environment and energy efficiency;
- (G) system capacity, including train control and capacity improvements; or
- (H) any other area that the Secretary determines is important to advance the interests of public transportation.

(d) DEMONSTRATION, DEPLOYMENT, AND EVALUATION.—

(1) IN GENERAL.—The Secretary may, under terms and conditions that the Secretary prescribes, make a grant to or enter into a contract, cooperative agreement, or other agreement with an entity described in paragraph (2) to promote the early deployment and demonstration of innovation in public transportation that has broad applicability.

(2) PARTICIPANTS.—An entity described in this paragraph is—

- (A) an entity described in subsection (a)(2); or
- (B) a consortium of entities described in subsection (a)(2), including a provider of public transportation, that will share the costs, risks, and rewards of early deployment and demonstration of innovation.

(3) PROJECT ELIGIBILITY.—A project that receives assistance under paragraph (1) shall seek to build on successful research, innovation, and development efforts to facilitate—

- (A) the deployment of research and technology development resulting from private efforts or Federally funded efforts; and
- (B) the implementation of research and technology development to advance the interests of public transportation.

(4) EVALUATION.—Not later than 2 years after the date on which a project receives assistance under paragraph (1), the Secretary shall conduct a comprehensive evaluation of the success or failure of the projects funded under this subsection and any plan for broad-based

implementation of the innovation promoted by successful projects.

(5) LOW OR NO EMISSION VEHICLE DEPLOYMENT.—

(A) DEFINITIONS.—In this paragraph, the following definitions shall apply:

(i) ELIGIBLE AREA.—The term “eligible area” means an area that is—

(I) designated as a nonattainment area for ozone or carbon monoxide under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or

(II) a maintenance area, as defined in section 5303, for ozone or carbon monoxide.

(ii) ELIGIBLE PROJECT.—The term “eligible project” means a project or program of projects in an eligible area for—

(I) acquiring or leasing low or no emission vehicles;

(II) constructing or leasing facilities and related equipment for low or no emission vehicles;

(III) constructing new public transportation facilities to accommodate low or no emission vehicles; or

(IV) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles.

(iii) DIRECT CARBON EMISSIONS.—The term “direct carbon emissions” means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency.

(iv) LOW OR NO EMISSION BUS.—The term “low or no emission bus” means a bus that is a low or no emission vehicle.

(v) LOW OR NO EMISSION VEHICLE.—The term “low or no emission vehicle” means—

(I) a passenger vehicle used to provide public transportation that the Administrator of the Environmental Protection Agency has certified sufficiently reduces energy consumption or reduces harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

(II) a zero emission bus used to provide public transportation.

(vi) RECIPIENT.—The term “recipient” means—

(I) for an eligible area that is an urbanized area with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census, the State in which the eligible area is located; and

(II) for an eligible area not described in subparagraph (A), the designated recipient for the eligible area.

(vii) ZERO EMISSION BUS.—The term “zero emission bus” means a low or no emission bus that produces no carbon or particulate matter.

(B) AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this paragraph.

(C) GRANT REQUIREMENTS.—

(i) IN GENERAL.—A grant under this paragraph shall be subject to the requirements of section 5307.

(ii) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(j) applies to projects carried out under this paragraph, unless the grant recipient requests a lower grant percentage.

(iii) COMBINATION OF FUNDING SOURCES.—

(I) COMBINATION PERMITTED.—A project carried out under this paragraph may receive funding under section 5307, or any other provision of law.

(II) GOVERNMENT SHARE.—Nothing in this clause may be construed to alter the Government share required under this section, section 5307, or any other provision of law.

(D) MINIMUM AMOUNTS.—Of amounts made available by or appropriated under section 5338(b) in each fiscal year to carry out this paragraph—

(i) not less than 65 percent shall be made available to fund eligible projects relating to low or no emission buses; and

(ii) not less than 10 percent shall be made available for eligible projects relating to facilities and related equipment for low or no emission buses.

(E) COMPETITIVE PROCESS.—The Secretary shall solicit grant applications and make grants for eligible projects on a competitive basis.

(F) PRIORITY CONSIDERATION.—In making grants under this paragraph, the Secretary shall give priority to projects relating to low or no emission buses that make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses.

(G) AVAILABILITY OF FUNDS.—Any amounts made available or appropriated to carry out this paragraph—

(i) shall remain available to an eligible project for 2 years after the fiscal year for which the amount is made available or appropriated; and

(ii) that remain unobligated at the end of the period described in clause (i) shall be added to the amount made available to an eligible project in the following fiscal year.

(e) ANNUAL REPORT ON RESEARCH.—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 each project described in paragraph (1), including any evaluation conducted under subsection (d)(4) for the preceding fiscal year; and

(3) a proposal for allocations of amounts for assistance under this section for the subsequent fiscal year.

(f) GOVERNMENT SHARE OF COSTS.—

(1) IN GENERAL.—The Government share of the cost of a project carried out under this section shall not exceed 80 percent.

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

(3) FINANCIAL BENEFIT.—If the Secretary determines that there would be a clear and direct financial benefit to an entity under a grant, contract, cooperative agreement, or other agreement under this section, the Secretary shall establish a Government share of the costs of the project to be carried out under the grant, contract, cooperative agreement, or other agreement that is consistent with the benefit.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 811; Pub. L. 105-178, title III, §3015(a), June 9, 1998, 112 Stat. 359; Pub. L. 109-59, title III, §§3002(b)(4), 3014(a)-(e)(1), Aug. 10, 2005, 119 Stat. 1545, 1596, 1597; Pub. L. 110-244, title II, §201(f), June 6, 2008, 122 Stat. 1610; Pub. L. 112-141, div. B, §20011, July 6, 2012, 126 Stat. 686.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5312(a) .....	49 App.:1605(a).	July 9, 1964, Pub. L. 88-365, §6(a), 78 Stat. 305; May 25, 1967, Pub. L. 90-19, §20(a), 81 Stat. 25; Oct. 15, 1970, Pub. L. 91-453, §13(b), 84 Stat. 969.
	49 App.:1605(d).	July 9, 1964, Pub. L. 88-365, §6(d), 78 Stat. 305; Sept. 8, 1966, Pub. L. 89-562, §3, 80 Stat. 717; May 25, 1967, Pub. L. 90-19, §20(a), 81 Stat. 25.
5312(b)(1) ....	49 App.:1607c(a) (1st, 2d sentences).	July 9, 1964, Pub. L. 88-365, 78 Stat. 302, §11(a); added Sept. 8, 1966, Pub. L. 89-562, §2(a)(2), 80 Stat. 716.
5312(b)(2) ....	49 App.:1607c(a) (3d sentence).	
5312(b)(3) ....	49 App.:1607c(a) (last sentence).	
5312(c)(1) ....	49 App.:1607b (1st sentence).	July 9, 1964, Pub. L. 88-365, 78 Stat. 302, §10; added Sept. 8, 1966, Pub. L. 89-562, §2(a)(2), 80 Stat. 716; restated Nov. 6, 1978, Pub. L. 95-599, §306, 92 Stat. 2744.
5312(c)(2) ....	49 App.:1603(c) (1st sentence).	July 9, 1964, Pub. L. 88-365, 78 Stat. 302, §4(c) (1st sentence); added Nov. 6, 1978, Pub. L. 95-599, §303(e), 92 Stat. 2739; Apr. 2, 1987, Pub. L. 100-17, §320, 101 Stat. 235; Dec. 18, 1991, Pub. L. 102-240, §3006(h)(1), 105 Stat. 2090.
5312(c)(3) ....	49 App.:1607b (2d-last sentences).	

In subsections (a) and (b)(1), the words “(or the Secretary of Housing and Urban Development when required by section 5334(i) of this title)” are added for clarity.

In subsection (a), the word “working” is omitted as surplus. The words “departments, agencies, and instrumentalities of the United States Government” are substituted for “other Federal departments and agencies” for consistency in the revised title and with other titles of the United States Code. The words “all phases of”, “(including the development, testing, and demonstra-

tion of new facilities, equipment, techniques, and methods)”, “In carrying out the provisions of this section”, “or data as he deems”, “public or private”, and “contained . . . section 1701d-3 of title 12 or . . . other provision of” are omitted as surplus.

In subsection (b)(1), before clause (A), the words “public and private”, “assist in establishing or carrying on comprehensive research in the problems of transportation in urban areas. Such grants shall be used to”, and “and qualified” are omitted as surplus. In clause (A), the words “or both” are omitted as surplus.

In subsection (b)(3), the word “appropriate” is added for clarity.

In subsection (c)(1), the words “and agencies thereof” are omitted as surplus.

In subsection (c)(3), before clause (A), the words “public or private training” and “the sum of” are omitted as surplus. In clause (B), the words “in connection with the fellowship” are omitted as surplus.

AMENDMENTS

2012—Pub. L. 112-141 amended section generally. Prior to amendment, section related to research, development, demonstration, and deployment projects and consisted of subsecs. (a) to (c).

2008—Subsec. (c). Pub. L. 110-244 substituted “Public Transportation” for “Mass Transportation” in heading.

2005—Pub. L. 109-59, §3014(e)(1), substituted “deployment” for “training” in section catchline.

Subsec. (a). Pub. L. 109-59, §3014(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “The Secretary of Transportation (or the Secretary of Housing and Urban Development when required by section 5334(i) of this title) may undertake, or make grants or contracts (including agreements with departments, agencies, and instrumentalities of the United States Government) for, research, development, and demonstration projects related to urban mass transportation that the Secretary decides will help reduce urban transportation needs, improve mass transportation service, or help mass transportation service meet the total urban transportation needs at a minimum cost. The Secretary may request and receive appropriate information from any source. This subsection does not limit the authority of the Secretary under another law.”

Subsec. (b). Pub. L. 109-59, §3014(b), redesignated subsec. (d) as (b) and struck out former subsec. (b) which related to grants to nonprofit institutions of higher learning for research, investigations, and training.

Subsec. (c). Pub. L. 109-59, §3014(b), redesignated subsec. (e) as (c) and struck out former subsec. (c) which related to grants to States, local governmental authorities, and operators of mass transportation systems for training fellowships and grants to State and local governmental authorities for projects that would use innovative techniques and methods in managing and providing mass transportation.

Subsec. (c)(2). Pub. L. 109-59, §3014(c), substituted “public or private” for “public and private”.

Subsec. (c)(3). Pub. L. 109-59, §3014(d), struck out “shall be accounted for separately within the Mass Transit Account of the Highway Trust Fund and” after “Such revenues”.

Subsec. (d). Pub. L. 109-59, §3014(b), redesignated subsec. (d) as (b).

Subsec. (d)(1)(A), (2). Pub. L. 109-59, §3002(b)(4), substituted “public transportation” for “mass transportation” wherever appearing.

Subsec. (e). Pub. L. 109-59, §3014(b), redesignated subsec. (e) as (c).

Subsec. (e)(1). Pub. L. 109-59, §3002(b)(4), substituted “public transportation” for “mass transportation” wherever appearing.

1998—Subsecs. (d), (e). Pub. L. 105-178 added subsecs. (d) and (e).

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 Effec-

tive and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

**§ 5313. Transit cooperative research program**

(a) COOPERATIVE RESEARCH PROGRAM.—The amounts made available under section 5338(c) are available for a public transportation cooperative research program. The Secretary shall establish an independent governing board for the program. The board shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

(b) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary decides are appropriate.

(c) GOVERNMENT'S SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 812; Pub. L. 105–178, title III, §3029(b)(4), (5), June 9, 1998, 112 Stat. 372; Pub. L. 109–59, title III, §§3002(b)(4), 3015(a), (b)(1), Aug. 10, 2005, 119 Stat. 1545, 1597; Pub. L. 112–141, div. B, §20030(b), July 6, 2012, 126 Stat. 730.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5313(a) .....	49 App.:1622(a)(1).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §26(a); added Dec. 18, 1991, Pub. L. 102–240, §3030, 105 Stat. 2117; Oct. 6, 1992, Pub. L. 102–388, §502(r), 106 Stat. 1567.
5313(b) .....	49 App.:1622(a)(2).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §26(b)(8) (related to subsection (a)(1)); added Dec. 18, 1991, Pub. L. 102–240, §3030, 103 Stat. 2119.
5313(c) .....	49 App.:1622(b)(8) (related to subsection (a)(1)).	

In subsection (b)(1), the word “total” is omitted as surplus.

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

In subsection (b)(3)(A), the words “for obligation”, “a period of”, and “the close of” are omitted as surplus.

AMENDMENTS

2012—Subsec. (a). Pub. L. 112–141, §20030(b)(2), struck out “of Transportation” after “The Secretary”.

Pub. L. 112–141, §20030(b)(1), which directed striking out “subsections (a)(5)(C)(iii) and (d)(1) of section 5338” and inserting section “5338(c)”, was executed by making the strike out and inserting “section 5338(c)” to reflect the probable intent of Congress.

2005—Pub. L. 109–59, §3015(b)(1), substituted “Transit cooperative research program” for “State planning and research programs” in section catchline.

Subsec. (a). Pub. L. 109–59, §3015(a)(2), redesignated par. (2) as subsec. (b) and directed amendment of subsec. (a) by substituting “The amounts made available under subsections (a)(5)(C)(iii) and (d)(1) of section 5338” for “(1) The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c) of this title”, which was executed by making the substitution for “(1) The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(d) of this title”, to reflect the probable intent of Congress.

Subsec. (a)(1). Pub. L. 109–59, §3002(b)(4), substituted “public transportation” for “mass transportation” in two places.

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.)