

gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

**(f) Schedule**

**(1) Publication**

Not later than 90 days after August 8, 2005, the Secretary shall publish in the Federal Register, Commerce Business Daily, and elsewhere as appropriate, a request for applications to undertake projects under the pilot program. Applications shall be due not later than 180 days after the date of publication of the notice.

**(2) Selection**

Not later than 180 days after the date by which applications for grants are due, the Secretary shall select by competitive, peer reviewed proposal, all applications for projects to be awarded a grant under the pilot program.

**(g) Definitions**

For purposes of carrying out the pilot program, the Secretary shall issue regulations defining any term, as the Secretary determines to be necessary.

(Pub. L. 109-58, title VII, §721, Aug. 8, 2005, 119 Stat. 818.)

**§ 16072. Reports to Congress**

**(a) Initial report**

Not later than 60 days after the date on which grants are awarded under this subpart, the Secretary shall submit to Congress a report containing—

- (1) an identification of the grant recipients and a description of the projects to be funded;
- (2) an identification of other applicants that submitted applications for the pilot program; and
- (3) a description of the mechanisms used by the Secretary to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

**(b) Evaluation**

Not later than 3 years after August 8, 2005, and annually thereafter until the pilot program ends, the Secretary shall submit to Congress a report containing an evaluation of the effectiveness of the pilot program, including—

- (1) an assessment of the benefits to the environment derived from the projects included in the pilot program; and
- (2) an estimate of the potential benefits to the environment to be derived from widespread application of alternative fueled vehicles and ultra-low sulfur diesel vehicles.

(Pub. L. 109-58, title VII, §722, Aug. 8, 2005, 119 Stat. 820.)

**§ 16073. Authorization of appropriations**

There are authorized to be appropriated to the Secretary to carry out this subpart \$200,000,000, to remain available until expended.

(Pub. L. 109-58, title VII, §723, Aug. 8, 2005, 119 Stat. 821.)

SUBPART 3—FUEL CELL BUSES

**§ 16081. Fuel cell transit bus demonstration**

**(a) In general**

The Secretary, in consultation with the Secretary of Transportation, shall establish a transit bus demonstration program to make competitive, merit-based awards for 5-year projects to demonstrate not more than 25 fuel cell transit buses (and necessary infrastructure) in 5 geographically dispersed localities.

**(b) Preference**

In selecting projects under this section, the Secretary shall give preference to projects that are most likely to mitigate congestion and improve air quality.

**(c) Authorization of appropriations**

There are authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for each of fiscal years 2006 through 2010.

(Pub. L. 109-58, title VII, §731, Aug. 8, 2005, 119 Stat. 821.)

PART C—CLEAN SCHOOL BUSES

**§ 16091. Clean school bus program<sup>1</sup>**

**(a) Definitions**

In this section:

**(1) Administrator**

The term “Administrator” means the Administrator of the Environmental Protection Agency.

**(2) Alternative fuel**

The term “alternative fuel” means—

- (A) liquefied natural gas, compressed natural gas, liquefied petroleum gas, hydrogen, or propane;
- (B) methanol or ethanol at not less than 85 percent by volume; or
- (C) biodiesel conforming with standards published by the American Society for Testing and Materials as of August 8, 2005.

**(3) Clean school bus**

The term “clean school bus” means a school bus with a gross vehicle weight of greater than 14,000 pounds that—

- (A) is powered by a heavy duty engine; and
- (B) is operated solely on an alternative fuel or ultra-low sulfur diesel fuel.

**(4) Eligible recipient**

**(A) In general**

Subject to subparagraph (B), the term “eligible recipient” means—

- (i) 1 or more local or State governmental entities responsible for—
  - (I) providing school bus service to 1 or more public school systems; or
  - (II) the purchase of school buses;
- (ii) 1 or more contracting entities that provide school bus service to 1 or more public school systems; or

<sup>1</sup> This section is substantially identical to section 16091a of this title.