

the commencement of new service” after “unless such service was provided solely by Amtrak to another entity”.

Subsec. (f). Pub. L. 114-94, §11303(b)(1)(D)(iv), substituted “under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).” for “under this chapter for commuter rail passenger transportation, as defined in section 24102(4) of this title.”

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

#### ASSISTANCE WITH BUY AMERICA WAIVER REQUESTS

Pub. L. 110-432, div. B, title III, §301(c), Oct. 16, 2008, 122 Stat. 4946, provided that: “In implementing section 24405(a) of title 49, United States Code, the Federal Highway Administration shall, upon request by the Federal Railroad Administration, assist the Federal Railroad Administration in developing a process for posting on its website or distributing via email notices of waiver requests received pursuant to such subsection and soliciting public comments on the intent to issue a waiver. The Federal Railroad Administration’s development of such a process does not relieve the Federal Railroad Administration of the requirements under paragraph (4) of such subsection.”

#### § 24406. Authorization of appropriations

There are authorized to be appropriated to the Secretary of Transportation for capital grants under this chapter the following amounts:

- (1) For fiscal year 2009, \$100,000,000.
- (2) For fiscal year 2010, \$300,000,000.
- (3) For fiscal year 2011, \$400,000,000.
- (4) For fiscal year 2012, \$500,000,000.
- (5) For fiscal year 2013, \$600,000,000.

(Added Pub. L. 110-432, div. B, title III, §301(a), Oct. 16, 2008, 122 Stat. 4946.)

#### § 24407. Consolidated rail infrastructure and safety improvements

(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

- (1) A State.
- (2) A group of States.
- (3) An Interstate Compact.
- (4) A public agency or publicly chartered authority established by 1 or more States.
- (5) A political subdivision of a State.
- (6) Amtrak or another rail carrier that provides intercity rail passenger transportation (as defined in section 24102).
- (7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).
- (8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

(9) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

(10) A University transportation center engaged in rail-related research.

(11) A non-profit labor organization representing a class or craft of employees of rail carriers or rail carrier contractors.

(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

(2) A capital project as defined in section 24401(2), except that a project shall not be required to be in a State rail plan developed under chapter 227.

(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

(4) A capital project identified by the Secretary as being necessary to reduce congestion and facilitate ridership growth in intercity passenger rail transportation along heavily traveled rail corridors.

(5) A highway-rail grade crossing improvement project, including installation, repair, or improvement of grade separations, railroad crossing signals, gates, and related technologies, highway traffic signalization, highway lighting and crossing approach signage, roadway improvements such as medians or other barriers, railroad crossing panels and surfaces, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

(6) A rail line relocation and improvement project.

(7) A capital project to improve short-line or regional railroad infrastructure.

(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service or commercial air service.

(10) The development and implementation of a safety program or institute designed to improve rail safety.

(11) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

(12) Workforce development and training activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, the Department of Labor, and the Department of Education.

(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

(e) PROJECT SELECTION CRITERIA.—

(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and