

(3) verify that grants are administered in accordance with this section.

**(f) Authorization of appropriations**

There are authorized to be appropriated to the Administrator to carry out this section, to remain available until expended the following sums:

- (1) \$20,000,000 for fiscal year 2006.
- (2) \$35,000,000 for fiscal year 2007.
- (3) \$45,000,000 for fiscal year 2008.
- (4) Such sums as are necessary for each of fiscal years 2009 and 2010.

(Pub. L. 109–58, title VII, §742, Aug. 8, 2005, 119 Stat. 824.)

**§ 16093. Fuel cell school buses**

**(a) Establishment**

The Secretary shall establish a program for entering into cooperative agreements—

- (1) with private sector fuel cell bus developers for the development of fuel cell-powered school buses; and
- (2) subsequently, with not less than 2 units of local government using natural gas-powered school buses and such private sector fuel cell bus developers to demonstrate the use of fuel cell-powered school buses.

**(b) Cost sharing**

The non-Federal contribution for activities funded under this section shall be not less than—

- (1) 20 percent for fuel infrastructure development activities; and
- (2) 50 percent for demonstration activities and for development activities not described in paragraph (1).

**(c) Reports to Congress**

Not later than 3 years after August 8, 2005, the Secretary shall transmit to Congress a report that—

- (1) evaluates the process of converting natural gas infrastructure to accommodate fuel cell-powered school buses; and
- (2) assesses the results of the development and demonstration program under this section.

**(d) Authorization of appropriations**

There are authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for the period of fiscal years 2006 through 2009.

(Pub. L. 109–58, title VII, §743, Aug. 8, 2005, 119 Stat. 826.)

PART D—MISCELLANEOUS

**§ 16101. Railroad efficiency**

**(a) Establishment**

The Secretary shall (in cooperation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency) establish a cost-shared, public-private research partnership involving the Federal Government, railroad carriers, locomotive manufacturers and equipment suppliers, and the Association of American Railroads, to develop and demonstrate railroad locomotive technologies that increase

fuel economy, reduce emissions, and lower costs of operation.

**(b) Authorization of appropriations**

There are authorized to be appropriated to the Secretary to carry out this section—

- (1) \$15,000,000 for fiscal year 2006;
- (2) \$20,000,000 for fiscal year 2007; and
- (3) \$30,000,000 for fiscal year 2008.

(Pub. L. 109–58, title VII, §751, Aug. 8, 2005, 119 Stat. 826.)

ADVANCED TECHNOLOGY LOCOMOTIVE GRANT PILOT PROGRAM

Pub. L. 110–140, title XI, §1111, Dec. 19, 2007, 121 Stat. 1757, provided that:

“(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Administrator of the Environmental Protection Agency, shall establish and carry out a pilot program for making grants to railroad carriers (as defined in section 20102 of title 49, United States Code) and State and local governments—

“(1) for assistance in purchasing hybrid or other energy-efficient locomotives, including hybrid switch and generator-set locomotives; and

“(2) to demonstrate the extent to which such locomotives increase fuel economy, reduce emissions, and lower costs of operation.

“(b) LIMITATION.—Notwithstanding subsection (a), no grant under this section may be used to fund the costs of emissions reductions that are mandated under Federal law.

“(c) GRANT CRITERIA.—In selecting applicants for grants under this section, the Secretary of Transportation shall consider—

“(1) the level of energy efficiency that would be achieved by the proposed project;

“(2) the extent to which the proposed project would assist in commercial deployment of hybrid or other energy-efficient locomotive technologies;

“(3) the extent to which the proposed project complements other private or governmental partnership efforts to improve air quality or fuel efficiency in a particular area; and

“(4) the extent to which the applicant demonstrates innovative strategies and a financial commitment to increasing energy efficiency and reducing greenhouse gas emissions of its railroad operations.

“(d) COMPETITIVE GRANT SELECTION PROCESS.—

“(1) APPLICATIONS.—A railroad carrier or State or local government seeking a grant under this section shall submit for approval by the Secretary of Transportation an application for the grant containing such information as the Secretary of Transportation may require.

“(2) COMPETITIVE SELECTION.—The Secretary of Transportation shall conduct a national solicitation for applications for grants under this section and shall select grantees on a competitive basis.

“(e) FEDERAL SHARE.—The Federal share of the cost of a project under this section shall not exceed 80 percent of the project cost.

“(f) REPORT.—Not later than 3 years after the date of enactment of this Act [Dec. 19, 2007], the Secretary of Transportation shall submit to Congress a report on the results of the pilot program carried out under this section.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Transportation \$10,000,000 for each of the fiscal years 2008 through 2011 to carry out this section. Such funds shall remain available until expended.”

**§ 16102. Diesel fueled vehicles**

**(a) Definition of tier 2 emission standards**

In this section, the term “tier 2 emission standards” means the motor vehicle emission