

terminal for preservation or reuse assistance under another program or law.

(c) ACQUIRING SPACE.—The Secretary may acquire space under subsection (a)(3) of this section only after consulting with the Advisory Council on Historic Preservation and the Chairman of the National Endowment for the Arts.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 851.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5562(a)	49 App.:1653(i)(1).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(1); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1528, 1533; Feb. 5, 1976, Pub. L. 94-210, §707(1), (2), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.
5562(b)	49 App.:1653(i)(11).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(11); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1530, 1533; Feb. 5, 1976, Pub. L. 94-210, §707(3), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.
5562(c)	49 App.:1653(i)(4).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(4); added Feb. 5, 1976, Pub. L. 94-210, §707(4), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.

In subsection (a)(3), the words “but only if” are substituted for “unless . . . would not” for consistency.

In subsection (a)(4), the word “encourage” is substituted for “stimulating” for clarity.

In subsection (b), the words “This chapter does not affect” are substituted for “Nothing in this subsection shall be construed to invalidate” for clarity and consistency. The words “rail passenger terminal” are substituted for “station”, and the word “law” is substituted for “statute”, for consistency.

§ 5563. Conversion of certain rail passenger terminals

(a) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary of Transportation may provide financial assistance to convert a rail passenger terminal to an intermodal transportation terminal under section 5562(a)(1) of this title only if—

(1) the terminal can be converted to accommodate other modes of transportation the Secretary of Transportation decides are appropriate, including—

- (A) motorbus transportation;
- (B) mass transit (rail or rubber tire); and
- (C) airline ticket offices and passenger terminals providing direct transportation to area airports;

(2) the terminal is listed on the National Register of Historic Places maintained by the Secretary of the Interior;

(3) the architectural integrity of the terminal will be preserved;

(4) to the extent practicable, the use of the terminal facilities for transportation may be combined with use of those facilities for other civic and cultural activities, especially when another activity is recommended by—

- (A) the Advisory Council on Historic Preservation;
- (B) the Chairman of the National Endowment for the Arts; or
- (C) consultants retained under subsection (b) of this section; and

(5) the terminal and the conversion project meet other criteria prescribed by the Secretary of Transportation after consultation with the Council and Chairman.

(b) ARCHITECTURAL INTEGRITY.—The Secretary of Transportation must employ consultants on whether the architectural integrity of the rail passenger terminal will be preserved under subsection (a)(3) of this section. The Secretary may decide that the architectural integrity will be preserved only if the consultants concur. The Council and Chairman shall recommend consultants to be employed by the Secretary. The consultants also may make recommendations referred to in subsection (a)(4) of this section.

(c) GOVERNMENT’S SHARE OF COSTS.—The Secretary of Transportation may not make a grant under this section for more than 80 percent of the total cost of converting a rail passenger terminal into an intermodal transportation terminal.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 851.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5563(a), (b)	49 App.:1653(i)(2) (1st sentence).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(2); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1528, 1533; May 26, 1975, Pub. L. 94-25, §13, 89 Stat. 93; Oct. 5, 1978, Pub. L. 95-421, §14, 92 Stat. 929.
5563(c)	49 App.:1653(i)(2) (last sentence).	

In subsection (a), before clause (1), the words “to convert a rail passenger terminal to an intermodal transportation terminal under section 5562(a)(1) of this title” are substituted for “for the purpose set forth in paragraph (1)(A) of this subsection” for clarity and because of the restatement. In clause (5), the word “prescribed” is substituted for “develop and promulgate” for consistency in the revised title and with other titles of the United States Code.

Subsection (b) is substituted for “and such judgment is concurred in by consultants recommended by the Chairman of the National Endowment of [sic] the Arts and the Advisory Council on Historic Preservation and retained for this purpose by the Secretary” for clarity and consistency in the revised title.

§ 5564. Interim preservation of certain rail passenger terminals

(a) GENERAL GRANT AUTHORITY.—Subject to subsection (b) of this section, the Secretary of Transportation may make a grant of financial assistance to a responsible person (including a governmental authority) to preserve a rail passenger terminal under section 5562(a)(2) of this title. To receive assistance under this section, the person must be qualified, prepared, committed, and authorized by law to maintain (and prevent the demolition, dismantling, or further deterioration of) the terminal until plans for its reuse are prepared.

(b) GRANT REQUIREMENTS.—The Secretary of Transportation may make a grant of financial assistance under this section only if—

- (1) the Secretary decides the rail passenger terminal has a reasonable likelihood of being converted to, or conditioned for reuse as, an intermodal transportation terminal, a civic or cultural activities center, or both; and

(2) planning activity directed toward conversion or reuse has begun and is proceeding in a competent way.

(c) MAXIMIZING PRESERVATION OF TERMINALS.—(1) Amounts appropriated to carry out this section and section 5562(a)(2) of this title shall be expended in the way most likely to maximize the preservation of rail passenger terminals that are—

(A) reasonably capable of conversion to intermodal transportation terminals;

(B) listed in the National Register of Historic Places maintained by the Secretary of the Interior; or

(C) recommended (on the basis of architectural integrity and quality) by the Advisory Council on Historic Preservation or the Chairman of the National Endowment for the Arts.

(2) The Secretary of Transportation may not make a grant under this section for more than 80 percent of the total cost of maintaining the terminal for an interim period of not more than 5 years.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 852.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 5564(a), 5564(b), and 5564(c).

In subsection (a), the words “Subject to subsection (b) of this section” are added for clarity. The word “authority” is substituted for “entity” for consistency in the revised title. The words “in accordance with regulations” and “applicable” are omitted as surplus.

In subsection (b), the words before clause (1) are substituted for “Provided, That” for clarity and consistency in the revised title.

In subsection (c)(2), the words “The Secretary of Transportation may not make a grant” are substituted for “The amount of the Federal share of any grant . . . shall not exceed” for clarity and consistency in this chapter.

§ 5565. Encouraging the development of plans for converting certain rail passenger terminals

(a) GENERAL GRANT AUTHORITY.—The Secretary of Transportation may make a grant of financial assistance to a qualified person (including a governmental authority) to encourage the development of plans for converting a rail passenger terminal under section 5562(a)(4) of this title. To receive assistance under this section, the person must—

(1) be prepared to develop practicable plans that meet zoning, land use, and other requirements of the applicable State and local jurisdictions in which the terminal is located;

(2) incorporate into the designs and plans proposed for converting the terminal, features that reasonably appear likely to attract private investors willing to carry out the planned conversion and its subsequent maintenance and operation; and

(3) complete the designs and plans for the conversion within the period of time prescribed by the Secretary.

(b) PREFERENCE.—In making a grant under this section, the Secretary of Transportation shall give preferential consideration to an applicant whose completed designs and plans will be carried out within 3 years after their completion.

(c) MAXIMIZING CONVERSION AND CONTINUED PUBLIC USE.—(1) Amounts appropriated to carry out this section and section 5562(a)(4) of this title shall be expended in the way most likely to maximize the conversion and continued public use of rail passenger terminals that are—

(A) listed in the National Register of Historic Places maintained by the Secretary of the Interior; or

(B) recommended (on the basis of architectural integrity and quality) by the Advisory Council on Historic Preservation or the Chairman of the National Endowment for the Arts.

(2) The Secretary of Transportation may not make a grant under this section for more than 80 percent of the total cost of the project for which the financial assistance is provided.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 853; Pub. L. 103–429, §6(15), Oct. 31, 1994, 108 Stat. 4379.)

HISTORICAL AND REVISION NOTES
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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 5565(a), 5565(b), and 5565(c).

In subsection (a), before clause (1), the word “authority” is substituted for “entity” for consistency in the revised title. The words “in accordance with regulations” are omitted as unnecessary because of 49:322(a). In clause (1), the words “as well as requirements . . . under this subsection” are omitted as unnecessary because of the restatement. In clause (2), the words “into an intermodal transportation terminal, a civic or cultural center, or both” are omitted as unnecessary. In clause (3), the word “prescribed” is substituted for “establishes” as being more appropriate.

In subsection (b), the words “carried out” are substituted for “implemented and effectuated” for consistency in the revised title.

In subsection (c)(2), the words “The Secretary of Transportation may not make a grant” are substituted for “The amount of the Federal share of any grant . . . shall not exceed” for clarity and consistency in this chapter. The word “undertaking” is omitted as being included in “project”.

PUB. L. 103–429

This amends 49:5565 to correct an erroneous section catchline.

AMENDMENTS

1994—Pub. L. 103–429 inserted “certain” after “converting” in section catchline.