

(Pub. L. 109–58, title VII, §754, Aug. 8, 2005, 119 Stat. 828.)

**§ 16103. Conserve by Bicycling Program**

**(a) Definitions**

In this section:

**(1) Program**

The term “program” means the Conserve by Bicycling Program established by subsection (b).

**(2) Secretary**

The term “Secretary” means the Secretary of Transportation.

**(b) Establishment**

There is established within the Department of Transportation a program to be known as the “Conserve by Bicycling Program”.

**(c) Projects**

**(1) In general**

In carrying out the program, the Secretary shall establish not more than 10 pilot projects that are—

(A) dispersed geographically throughout the United States; and

(B) designed to conserve energy resources by encouraging the use of bicycles in place of motor vehicles.

**(2) Requirements**

A pilot project described in paragraph (1) shall—

(A) use education and marketing to convert motor vehicle trips to bicycle trips;

(B) document project results and energy savings (in estimated units of energy conserved);

(C) facilitate partnerships among interested parties in at least 2 of the fields of—

- (i) transportation;
- (ii) law enforcement;
- (iii) education;
- (iv) public health;
- (v) environment; and
- (vi) energy;

(D) maximize bicycle facility investments;

(E) demonstrate methods that may be used in other regions of the United States; and

(F) facilitate the continuation of ongoing programs that are sustained by local resources.

**(3) Cost sharing**

At least 20 percent of the cost of each pilot project described in paragraph (1) shall be provided from non-Federal sources.

**(d) Energy and bicycling research study**

**(1) In general**

Not later than 2 years after August 8, 2005, the Secretary shall enter into a contract with the National Academy of Sciences for, and the National Academy of Sciences shall conduct and submit to Congress a report on, a study on the feasibility of converting motor vehicle trips to bicycle trips.

**(2) Components**

The study shall—

(A) document the results or progress of the pilot projects under subsection (c);

(B) determine the type and duration of motor vehicle trips that people in the United States may feasibly make by bicycle, taking into consideration factors such as—

- (i) weather;
- (ii) land use and traffic patterns;
- (iii) the carrying capacity of bicycles; and
- (iv) bicycle infrastructure;

(C) determine any energy savings that would result from the conversion of motor vehicle trips to bicycle trips;

(D) include a cost-benefit analysis of bicycle infrastructure investments; and

(E) include a description of any factors that would encourage more motor vehicle trips to be replaced with bicycle trips.

**(e) Authorization of appropriations**

There is authorized to be appropriated to the Secretary to carry out this section \$6,200,000, to remain available until expended, of which—

(1) \$5,150,000 shall be used to carry out pilot projects described in subsection (c);

(2) \$300,000 shall be used by the Secretary to coordinate, publicize, and disseminate the results of the program; and

(3) \$750,000 shall be used to carry out subsection (d).

(Pub. L. 109–58, title VII, §755, Aug. 8, 2005, 119 Stat. 828.)

**§ 16104. Reduction of engine idling**

**(a) Definitions**

In this section:

**(1) Administrator**

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

**(2) Advanced truck stop electrification system**

The term “advanced truck stop electrification system” means a stationary system that delivers heat, air conditioning, electricity, or communications, and is capable of providing verifiable and auditable evidence of use of those services, to a heavy-duty vehicle and any occupants of the heavy-duty vehicle with or without relying on components mounted onboard the heavy-duty vehicle for delivery of those services.

**(3) Auxiliary power unit**

The term “auxiliary power unit” means an integrated system that—

(A) provides heat, air conditioning, engine warming, or electricity to components on a heavy-duty vehicle; and

(B) is certified by the Administrator under part 89 of title 40, Code of Federal Regulations (or any successor regulation), as meeting applicable emission standards.

**(4) Heavy-duty vehicle**

The term “heavy-duty vehicle” means a vehicle that—

(A) has a gross vehicle weight rating greater than 8,500 pounds; and

(B) is powered by a diesel engine.

**(5) Idle reduction technology**

The term “idle reduction technology” means an advanced truck stop electrification system, auxiliary power unit, or other technology that—

(A) is used to reduce long-duration idling; and

(B) allows for the main drive engine or auxiliary refrigeration engine to be shut down.

**(6) Energy conservation technology**

the<sup>1</sup> term “energy conservation technology” means any device, system of devices, or equipment that improves the fuel economy.

**(7) Long-duration idling**

**(A) In general**

The term “long-duration idling” means the operation of a main drive engine or auxiliary refrigeration engine, for a period greater than 15 consecutive minutes, at a time at which the main drive engine is not engaged in gear.

**(B) Exclusions**

The term “long-duration idling” does not include the operation of a main drive engine or auxiliary refrigeration engine during a routine stoppage associated with traffic movement or congestion.

**(b) Idle reduction technology benefits, programs, and studies**

**(1) In general**

Not later than 90 days after August 8, 2005, the Administrator shall—

(A)(i) commence a review of the mobile source air emission models of the Environmental Protection Agency used under the Clean Air Act (42 U.S.C. 7401 et seq.) to determine whether the models accurately reflect the emissions resulting from long-duration idling of heavy-duty vehicles and other vehicles and engines; and

(ii) update those models as the Administrator determines to be appropriate; and

(B)(i) commence a review of the emission reductions achieved by the use of idle reduction technology; and

(ii) complete such revisions of the regulations and guidance of the Environmental Protection Agency as the Administrator determines to be appropriate.

**(2) Deadline for completion**

Not later than 180 days after August 8, 2005, the Administrator shall—

(A) complete the reviews under subparagraphs (A)(i) and (B)(i) of paragraph (1); and

(B) prepare and make publicly available one or more reports on the results of the reviews.

**(3) Discretionary inclusions**

The reviews under subparagraphs (A)(i) and (B)(i) of paragraph (1) and the reports under paragraph (2)(B) may address the potential fuel savings resulting from use of idle reduction technology.

**(4) Idle reduction and energy conservation deployment program**

**(A) Establishment**

**(i) In general**

Not later than 90 days after August 8, 2005, the Administrator, in consultation with the Secretary of Transportation shall, through the Environmental Protection Agency’s SmartWay Transport Partnership, establish a program to support deployment of idle reduction and energy conservation technologies.

**(ii) Priority**

The Administrator shall give priority to the deployment of idle reduction and energy conservation technologies based on the costs and beneficial effects on air quality and ability to lessen the emission of criteria air pollutants.

**(B) Funding**

**(i) Authorization of appropriations**

There are authorized to be appropriated to the Administrator to carry out subparagraph (A) for the purpose of reducing extended idling from heavy-duty vehicles \$19,500,000 for fiscal year 2006, \$30,000,000 for fiscal year 2007, and \$45,000,000 for fiscal year 2008.

**(ii) Locomotives**

There are authorized to be appropriated to the administrator to carry out subparagraph (A) for the purpose of reducing extended idling from locomotives \$10,000,000 for fiscal year 2006, \$15,000,000 for fiscal year 2007, and \$20,000,000 for fiscal year 2008.

**(iii) Cost sharing**

Subject to clause (iv), the Administrator shall require at least 50 percent of the costs directly and specifically related to any project under this section to be provided from non-Federal sources.

**(iv) Necessary and appropriate reductions**

The Administrator may reduce the non-Federal requirement under clause (iii) if the Administrator determines that the reduction is necessary and appropriate to meet the objectives of this section.

**(5) Idling location study**

**(A) In general**

Not later than 90 days after August 8, 2005, the Administrator, in consultation with the Secretary of Transportation, shall commence a study to analyze all locations at which heavy-duty vehicles stop for long-duration idling, including—

(i) truck stops;

(ii) rest areas;

(iii) border crossings;

(iv) ports;

(v) transfer facilities; and

(vi) private terminals.

**(B) Deadline for completion**

Not later than 180 days after August 8, 2005, the Administrator shall—

<sup>1</sup> So in original. Probably should be capitalized.

- (i) complete the study under subparagraph (A); and
- (ii) prepare and make publicly available one or more reports of the results of the study.

**(c) Omitted****(d) Report**

Not later than 60 days after the date on which funds are initially awarded under this section, and on an annual basis thereafter, the Administrator shall submit to Congress a report containing—

- (1) an identification of the grant recipients, a description of the projects to be funded and the amount of funding provided; and
- (2) an identification of all other applicants that submitted applications under the program.

(Pub. L. 109–58, title VII, §756, Aug. 8, 2005, 119 Stat. 829.)

## REFERENCES IN TEXT

The Clean Air Act, referred to in subsec. (b)(1)(A)(i), is act July 14, 1955, ch. 360, 69 Stat. 322, as amended, which is classified generally to chapter 85 (§7401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 7401 of this title and Tables.

## CODIFICATION

Section is comprised of section 756 of Pub. L. 109–58. Subsec. (c) of section 756 of Pub. L. 109–58 amended section 127 of Title 23, Highways.

**§ 16105. Biodiesel engine testing program****(a) In general**

Not later than<sup>1</sup> 180 days after August 8, 2005, the Secretary shall initiate a partnership with diesel engine, diesel fuel injection system, and diesel vehicle manufacturers and diesel and biodiesel fuel providers, to include biodiesel testing in advanced diesel engine and fuel system technology.

**(b) Scope**

The program shall provide for testing to determine the impact of biodiesel from different sources on current and future emission control technologies, with emphasis on—

- (1) the impact of biodiesel on emissions warranty, in-use liability, and antitampering provisions;
- (2) the impact of long-term use of biodiesel on engine operations;
- (3) the options for optimizing these technologies for both emissions and performance when switching between biodiesel and diesel fuel; and
- (4) the impact of using biodiesel in these fueling systems and engines when used as a blend with 2006 Environmental Protection Agency-mandated diesel fuel containing a maximum of 15-parts-per-million sulfur content.

**(c) Report**

Not later than 2 years after August 8, 2005, the Secretary shall provide an interim report to

Congress on the findings of the program, including a comprehensive analysis of impacts from biodiesel on engine operation for both existing and expected future diesel technologies, and recommendations for ensuring optimal emissions reductions and engine performance with biodiesel.

**(d) Authorization of appropriations**

There are authorized to be appropriated \$5,000,000 for each of fiscal years 2006 through 2010 to carry out this section.

**(e) Definition**

For purposes of this section, the term “biodiesel” means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 7545 of this title and that meets the American Society for Testing and Materials D6751–02a Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels.

(Pub. L. 109–58, title VII, §757, Aug. 8, 2005, 119 Stat. 832.)

**§ 16106. Ultra-efficient engine technology for aircraft****(a) Ultra-efficient engine technology partnership**

The Secretary shall enter into a cooperative agreement with the National Aeronautics and Space Administration for the development of ultra-efficient engine technology for aircraft.

**(b) Performance objective**

The Secretary shall establish the following performance objectives for the program set forth in subsection (a):

- (1) A fuel efficiency increase of at least 10 percent.
- (2) A reduction in the impact of landing and takeoff nitrogen oxides emissions on local air quality of 70 percent.
- (3) Exploring advanced concepts, alternate propulsion, and power configurations, including hybrid fuel cell powered systems.
- (4) Exploring the use of alternate fuel in conventional or nonconventional turbine-based systems.

**(c) Authorization of appropriations**

There are authorized to be appropriated to the Secretary for carrying out this section \$50,000,000 for each of the fiscal years 2006, 2007, 2008, 2009, and 2010.

(Pub. L. 109–58, title VII, §758, Aug. 8, 2005, 119 Stat. 833.)

## PART E—FEDERAL AND STATE PROCUREMENT

**§ 16121. Definitions**

In this part:

**(1) Fuel cell**

The term “fuel cell” means a device that directly converts the chemical energy of a fuel and an oxidant into electricity by electrochemical processes occurring at separate electrodes in the device.

**(2) Light-duty or heavy-duty vehicle fleet**

The term “light-duty or heavy-duty vehicle fleet” does not include any vehicle designed or

<sup>1</sup> So in original. Probably should be “than”.