

1999, 113 Stat. 113; Pub. L. 106-346, §101(a) [title III, §341], Oct. 23, 2000, 114 Stat. 1356, 1356A-32; Pub. L. 108-199, div. F, title I, §176, Jan. 23, 2004, 118 Stat. 311, authorized the Secretary of Transportation to continue helping to finance mass transportation operating costs in certain urban areas for the period beginning on June 9, 1998, and ending no later than 3 years after that date.

**[§ 5308. Repealed. Pub. L. 112-141, div. B, § 20002(a), July 6, 2012, 126 Stat. 622]**

Section, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 800; Pub. L. 105-178, title III, §3008(a), (c), June 9, 1998, 112 Stat. 348; Pub. L. 105-206, title IX, §9009(f), July 22, 1998, 112 Stat. 855; Pub. L. 109-59, title III, §3010(a), Aug. 10, 2005, 119 Stat. 1572, related to a grant program for clean fuel buses.

**EFFECTIVE DATE OF REPEAL**

Repeal effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

**NATIONAL FUEL CELL BUS TECHNOLOGY DEVELOPMENT PROGRAM**

Pub. L. 109-59, title III, §3045, Aug. 10, 2005, 119 Stat. 1705, which provided for the establishment of a national fuel cell bus technology development program, was repealed by Pub. L. 112-141, div. B, §20002(c)(4), July 6, 2012, 126 Stat. 622.

**§ 5309. Fixed guideway capital investment grants**

(a) **DEFINITIONS.**—In this section, the following definitions shall apply:

(1) **APPLICANT.**—The term “applicant” means a State or local governmental authority that applies for a grant under this section.

(2) **CORE CAPACITY IMPROVEMENT PROJECT.**—The term “core capacity improvement project” means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent. The term does not include project elements designed to maintain a state of good repair of the existing fixed guideway system.

(3) **CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.**—The term “corridor-based bus rapid transit project” means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems, including defined stations; traffic signal priority for public transportation vehicles; short headway bidirectional services for a substantial part of weekdays; and any other features the Secretary may determine support a long-term corridor investment, but the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(4) **FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.**—The term “fixed guideway bus rapid transit project” means a bus capital project—

(A) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(B) that represents a substantial investment in a single route in a defined corridor or subarea; and

(C) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(i) defined stations;

(ii) traffic signal priority for public transportation vehicles;

(iii) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(iv) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(5) **NEW FIXED GUIDEWAY CAPITAL PROJECT.**—The term “new fixed guideway capital project” means—

(A) a new fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(B) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(6) **PROGRAM OF INTERRELATED PROJECTS.**—The term “program of interrelated projects” means the simultaneous development of—

(A) 2 or more new fixed guideway capital projects, small start projects, or core capacity improvement projects; or

(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.

(7) **SMALL START PROJECT.**—The term “small start project” means a new fixed guideway capital project or corridor-based bus rapid transit project for which—

(A) the Federal assistance provided or to be provided under this section is less than \$100,000,000; and

(B) the total estimated net capital cost is less than \$300,000,000.

(b) **GENERAL AUTHORITY.**—The Secretary may make grants under this section to State and local governmental authorities to assist in financing—

(1) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for fixed guideway corridor development for projects in the advanced stages of project development or engineering; and

(2) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by at least 10 percent. Core capacity improvement projects do not include elements to im-