

Subsec. (d)(1). Pub. L. 111-364, §2(c)(5)(A), inserted “, rebate,” after “grant”.

Subsec. (d)(2). Pub. L. 111-364, §2(c)(5)(B), inserted “, rebates,” after “grants”.

Subsec. (d)(3). Pub. L. 111-364, §2(c)(5)(C), substituted “grant, rebate, or loan provided under this section shall be used” for “grant or loan provided under this section may be used” in introductory provisions.

Subsec. (d)(4), (5). Pub. L. 111-364, §2(c)(5)(D), added pars. (4) and (5).

2008—Subsec. (c)(2)(A). Pub. L. 110-255, §3(b)(2), substituted “51” for “50” and “1.96 percent” for “2 percent”.

Subsec. (c)(2)(B). Pub. L. 110-255, §3(b)(2), substituted “51” for “50” in introductory provisions.

Subsec. (c)(2)(B)(ii). Pub. L. 110-255, §3(b)(2), which directed substitution of “1.96 percent” for “2 percent”, was executed by making the substitution for “2-percent”, to reflect the probable intent of Congress.

Subsec. (d)(2). Pub. L. 110-255, §3(b)(1), substituted “chief executive” for “Governor”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-364 effective Oct. 1, 2011, except that amendment by section 2(c)(4) of Pub. L. 111-364 effective Jan. 4, 2011, see section 4 of Pub. L. 111-364, set out as a note under section 16131 of this title.

#### § 16134. Evaluation and report

##### (a) In general

Not later than 1 year after the date on which funds are made available under this part, and biennially thereafter, the Administrator shall submit to Congress a report evaluating the implementation of the programs under this part.

##### (b) Inclusions

The report shall include a description of—

(1) the total number of grant applications received;

(2) each grant, rebate, or loan made under this part, including the amount of the grant, rebate, or loan;

(3) each project for which a grant, rebate, or loan is provided under this part, including the criteria used to select the grant, rebate, or loan recipients;

(4) the actual and estimated air quality and diesel fuel conservation benefits, cost-effectiveness, and cost-benefits of the grant, rebate, and loan programs under this part;

(5) the problems encountered by projects for which a grant, rebate, or loan is provided under this part;

(6) any other information the Administrator considers to be appropriate; and

(7) in the last report sent to Congress before January 1, 2016, an analysis of the need to continue the program, including an assessment of the size of the vehicle and engine fleet that could provide benefits from being retrofit under this program and a description of the number and types of applications that were not granted in the preceding year.

(Pub. L. 109-58, title VII, §794, Aug. 8, 2005, 119 Stat. 843; Pub. L. 111-364, §2(d), Jan. 4, 2011, 124 Stat. 4060.)

#### Editorial Notes

##### AMENDMENTS

2011—Subsec. (b)(2) to (5). Pub. L. 111-364, §2(d)(1), inserted “, rebate,” after “grant” wherever appearing.

Subsec. (b)(7). Pub. L. 111-364, §2(d)(2)–(4), added par. (7).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-364 effective Oct. 1, 2011, except as otherwise provided, see section 4 of Pub. L. 111-364, set out as a note under section 16131 of this title.

#### § 16135. Outreach and incentives

##### (a) Definition of eligible technology

In this section, the term “eligible technology” means—

- (1) a verified technology; or
- (2) an emerging technology.

##### (b) Technology transfer program

###### (1) In general

The Administrator shall establish a program under which the Administrator—

- (A) informs stakeholders of the benefits of eligible technologies; and
- (B) develops nonfinancial incentives to promote the use of eligible technologies.

###### (2) Eligible stakeholders

Eligible stakeholders under this section include—

- (A) equipment owners and operators;
- (B) emission and pollution control technology manufacturers;
- (C) engine and equipment manufacturers;
- (D) State and local officials responsible for air quality management;
- (E) community organizations; and
- (F) public health, educational, and environmental organizations.

##### (c) State implementation plans

The Administrator shall develop appropriate guidance to provide credit to a State for emission reductions in the State created by the use of eligible technologies through a State implementation plan under section 7410 of this title.

##### (d) International markets

The Administrator, in coordination with the Department of Commerce and industry stakeholders, shall inform foreign countries with air quality problems of the potential of technology developed or used in the United States to provide emission reductions in those countries.

(Pub. L. 109-58, title VII, §795, Aug. 8, 2005, 119 Stat. 843.)

#### § 16136. Effect of part

Nothing in this part affects any authority under the Clean Air Act (42 U.S.C. 7401 et seq.) in existence on the day before August 8, 2005.

(Pub. L. 109-58, title VII, §796, Aug. 8, 2005, 119 Stat. 844.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Clean Air Act, referred to in text, is act July 14, 1955, ch. 360, 69 Stat. 322, 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.