

(B) **COMPETITIVE PROCUREMENT.**—Eligible projects awarded with partnerships under this subsection shall be considered to satisfy the requirement for a competitive procurement under section 5325.

(d) **WORKFORCE DEVELOPMENT TRAINING ACTIVITIES.**—5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) shall be used by recipients to fund workforce development training, as described in section 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce under subsection (c)(3)(D), unless the recipient certifies a smaller percentage is necessary to carry out that plan.

(Added Pub. L. 108–7, div. I, title III, §356, Feb. 20, 2003, 117 Stat. 421; amended Pub. L. 109–59, title III, §3037(a), Aug. 10, 2005, 119 Stat. 1635; Pub. L. 112–141, div. B, §20029(a), July 6, 2012, 126 Stat. 729; Pub. L. 113–159, title I, §1204, Aug. 8, 2014, 128 Stat. 1847; Pub. L. 114–21, title I, §1204, May 29, 2015, 129 Stat. 225; Pub. L. 114–41, title I, §1204, July 31, 2015, 129 Stat. 452; Pub. L. 114–73, title I, §1204, Oct. 29, 2015, 129 Stat. 575; Pub. L. 114–87, title I, §1204, Nov. 20, 2015, 129 Stat. 684; Pub. L. 114–94, div. A, title III, §3017(a), Dec. 4, 2015, 129 Stat. 1482; Pub. L. 117–58, div. C, §30018, Nov. 15, 2021, 135 Stat. 915.)

Editorial Notes

REFERENCES IN TEXT

Section 5338, referred to in subsec. (a)(5), was amended generally by Pub. L. 117–58, div. C, §30017, Nov. 15, 2021, 135 Stat. 912. As amended, section 5338(a)(2)(L) no longer relates to allocations of funds to carry out subsec. (a) of this section, but such provision can be found elsewhere in section 5338.

Section 3019 of the Federal Public Transportation Act of 2015, referred to in subsec. (c)(1)(C), is section 3019 of Pub. L. 114–94, which is set out as a note under section 5325 of this title.

AMENDMENTS

2021—Subsec. (a)(5)(A). Pub. L. 117–58, §30018(1)(A), substituted “\$206,000,000 each fiscal year” for “\$90,500,000 for each of fiscal years 2016 through 2020”, “\$4,000,000” for “\$1,750,000”, and “\$1,000,000” for “\$500,000”.

Subsec. (a)(10). Pub. L. 117–58, §30018(1)(B), added par. (10).

Subsec. (b)(5). Pub. L. 117–58, §30018(2)(A), added par. (5) and struck out former par. (5). Prior to amendment, text read as follows: “Not less than 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.”

Subsec. (b)(9) to (11). Pub. L. 117–58, §30018(2)(B), added pars. (9) to (11).

Subsec. (c)(3)(A). Pub. L. 117–58, §30018(3)(A)(i), amended subpar. (A) generally. Prior to amendment, text read as follows: “A grant under this subsection shall be subject to the requirements of section 5307.”

Subsec. (c)(3)(D). Pub. L. 117–58, §30018(3)(A)(ii), added subpar. (D).

Subsec. (c)(5). Pub. L. 117–58, §30018(3)(B), added par. (5) and struck out former par. (5), which required the Secretary to consider only certain eligible projects relating to the acquisition or leasing of low or no emission buses or bus facilities.

Subsec. (c)(8). Pub. L. 117–58, §30018(3)(C), added par. (8).

Subsec. (d). Pub. L. 117–58, §30018(4), added subsec. (d). 2015—Pub. L. 114–94 amended section generally, substituting provisions relating to grants for buses and bus facilities for provisions relating to bus and bus facilities formula grants.

Subsec. (d)(1). Pub. L. 114–87 substituted “and \$11,632,514 for the period beginning on October 1, 2015, and ending on December 4, 2015,” for “and \$9,127,049 for the period beginning on October 1, 2015, and ending on November 20, 2015,” “\$221,994 for such period” for “\$174,180 for such period”, and “\$88,798 for such period” for “\$69,672 for such period”.

Pub. L. 114–73 substituted “and \$9,127,049 for the period beginning on October 1, 2015, and ending on November 20, 2015,” for “and \$5,189,891 for the period beginning on October 1, 2015, and ending on October 29, 2015,” “\$174,180 for such period” for “\$99,044 for such period”, and “\$69,672 for such period” for “\$39,617 for such period”.

Pub. L. 114–41 substituted “each of fiscal years 2013 through 2015 and \$5,189,891 for the period beginning on October 1, 2015, and ending on October 29, 2015,” for “each of fiscal years 2013 and 2014 and \$54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,” “\$99,044 for such period” for “\$1,041,096 for such period”, and “\$39,617 for such period” for “\$416,438 for such period”.

Pub. L. 114–21 substituted “and \$54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,” for “and \$43,606,849 for the period beginning on October 1, 2014, and ending on May 31, 2015,” “\$1,041,096 for such period” for “\$832,192 for such period”, and “\$416,438 for such period” for “\$332,877 for such period”.

2014—Subsec. (d)(1). Pub. L. 113–159 inserted “for each of fiscal years 2013 and 2014 and \$43,606,849 for the period beginning on October 1, 2014, and ending on May 31, 2015,” after “\$65,500,000”, “for each such fiscal year and \$832,192 for such period” after “\$1,250,000”, and “for each such fiscal year and \$332,877 for such period” after “\$500,000”.

2012—Pub. L. 112–141 amended section generally. Prior to amendment, section related to alternatives analysis program.

2005—Pub. L. 109–59 inserted section catchline and amended text generally. Prior to amendment, text read as follows: “Effective for funds not yet expended on the effective date of this section, the Federal share for funds under this chapter for a grantee named in section 603(14) of Public Law 97–468 shall be the same as the Federal share under 23 U.S.C. section 120(b) for Federal aid highway funds apportioned to the State in which it operates.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 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.

§ 5340. Apportionments based on growing States and high density States formula factors

(a) **DEFINITION.**—In this section, the term “State” shall mean each of the 50 States of the United States.

(b) **ALLOCATION.**—The Secretary shall apportion the amounts made available under section 5338(b)(2)(N)¹ in accordance with subsection (c) and subsection (d).

¹So in original. Probably should have been “section 5338(a)(2)(N)” in original. See References in Text note below.

(c) GROWING STATE APPORTIONMENTS.—

(1) APPORTIONMENT AMONG STATES.—The amounts apportioned under subsection (b)(1) shall provide each State with an amount equal to the total amount apportioned multiplied by a ratio equal to the population of that State forecast for the year that is 15 years after the most recent decennial census, divided by the total population of all States forecast for the year that is 15 years after the most recent decennial census. Such forecast shall be based on the population trend for each State between the most recent decennial census and the most recent estimate of population made by the Secretary of Commerce.

(2) APPORTIONMENTS BETWEEN URBANIZED AREAS AND OTHER THAN URBANIZED AREAS IN EACH STATE.—

(A) IN GENERAL.—The Secretary shall apportion amounts to each State under paragraph (1) so that urbanized areas in that State receive an amount equal to the amount apportioned to that State multiplied by a ratio equal to the sum of the forecast population of all urbanized areas in that State divided by the total forecast population of that State. In making the apportionment under this subparagraph, the Secretary shall utilize any available forecasts made by the State. If no forecasts are available, the Secretary shall utilize data on urbanized areas and total population from the most recent decennial census.

(B) REMAINING AMOUNTS.—Amounts remaining for each State after apportionment under subparagraph (A) shall be apportioned to that State and added to the amount made available for grants under section 5311.

(3) APPORTIONMENTS AMONG URBANIZED AREAS IN EACH STATE.—The Secretary shall apportion amounts made available to urbanized areas in each State under paragraph (2)(A) so that each urbanized area receives an amount equal to the amount apportioned under paragraph (2)(A) multiplied by a ratio equal to the population of each urbanized area divided by the sum of populations of all urbanized areas in the State. Amounts apportioned to each urbanized area shall be added to amounts apportioned to that urbanized area under section 5336, and made available for grants under section 5307.

(d) HIGH DENSITY STATE APPORTIONMENTS.—Amounts to be apportioned under subsection (b)(2) shall be apportioned as follows:

(1) ELIGIBLE STATES.—The Secretary shall designate as eligible for an apportionment under this subsection all States with a population density in excess of 370 persons per square mile.

(2) STATE URBANIZED LAND FACTOR.—For each State qualifying for an apportionment under paragraph (1), the Secretary shall calculate an amount equal to—

(A) the total land area of the State (in square miles); multiplied by

(B) 370; multiplied by

(C)(i) the population of the State in urbanized areas; divided by

(ii) the total population of the State.

(3) STATE APPORTIONMENT FACTOR.—For each State qualifying for an apportionment under paragraph (1), the Secretary shall calculate an amount equal to the difference between the total population of the State less the amount calculated in paragraph (2).

(4) STATE APPORTIONMENT.—Each State qualifying for an apportionment under paragraph (1) shall receive an amount equal to the amount to be apportioned under this subsection multiplied by the amount calculated for the State under paragraph (3) divided by the sum of the amounts calculated under paragraph (3) for all States qualifying for an apportionment under paragraph (1).

(5) APPORTIONMENTS AMONG URBANIZED AREAS IN EACH STATE.—The Secretary shall apportion amounts made available to each State under paragraph (4) so that each urbanized area receives an amount equal to the amount apportioned under paragraph (4) multiplied by a ratio equal to the population of each urbanized area divided by the sum of populations of all urbanized areas in the State. Amounts apportioned to each urbanized area shall be added to amounts apportioned to that urbanized area under section 5336, and made available for grants under section 5307.

(Added Pub. L. 109–59, title III, §3038(a), Aug. 10, 2005, 119 Stat. 1636; amended Pub. L. 114–94, div. A, title III, §3030(f), Dec. 4, 2015, 129 Stat. 1497.)

Editorial Notes

REFERENCES IN TEXT

Section 5338, referred to in subsec. (b), was amended generally by Pub. L. 117–58, div. C, §30017, Nov. 15, 2021, 135 Stat. 912. As amended, section 5338(a)(2)(N), which was probably intended instead of the reference in the original to “section 5338(b)(2)(N)”, no longer relates to allocations of funds to carry out this section, but such provision can be found elsewhere in section 5338.

AMENDMENTS

2015—Subsec. (b). Pub. L. 114–94 added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “Of the amounts made available for each fiscal year under section 5338(b)(2)(M), the Secretary shall apportion—

“(1) 50 percent to States and urbanized areas in accordance with subsection (c); and

“(2) 50 percent to States and urbanized areas in accordance with subsection (d).”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

CHAPTER 55—INTERMODAL TRANSPORTATION

SUBCHAPTER I—GENERAL

Sec.	
5501.	National Intermodal Transportation System policy.
[5502.	Repealed.]
[5503.	Repealed.]
5504.	Model intermodal transportation plans.
5505.	University transportation centers program.
5506.	Advanced transportation research initiative.