

## AMENDMENTS

2018—Subsecs. (c), (d). Pub. L. 115–254 redesignated subsec. (d) as (c) and struck out former subsec. (c). Prior to amendment, text of subsec. (c) read as follows: “The Administrator of the Environmental Protection Agency, in consultation with the Secretary, shall determine how to provide appropriate emissions credits to airport projects previously approved under section 47136 consistent with the guidance and conditions specified in subsection (a).”

2012—Subsec. (a). Pub. L. 112–95, § 152(d)(1), struck out “47102(3)(F),” after “40117(a)(3)(G),” in introductory provisions.

Subsec. (b). Pub. L. 112–95, § 152(d)(2), struck out “47102(3)(F),” after “grant for a project described in section” and “47103(3)(F),” after “40117(a)(3)(G).”

Pub. L. 112–95, § 111(c)(2)(A)(v), substituted “charge” for “fee”.

## Statutory Notes and Related Subsidiaries

## EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108–176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

## § 47140. Increasing the energy efficiency of airport power sources

(a) IN GENERAL.—The Secretary of Transportation shall establish a program under which the Secretary shall encourage the sponsor of each public-use airport to assess the airport’s energy requirements, including heating and cooling, base load, back-up power, and power for on-road airport vehicles and ground support equipment, in order to identify opportunities to increase energy efficiency at the airport, and to reimburse the airport sponsor for the costs incurred in conducting the assessment.

(b) GRANTS.—

(1) IN GENERAL.—The Secretary may make grants from amounts made available under section 48103 to assist airport sponsors that have completed the assessment described in subsection (a) to acquire or construct equipment, including hydrogen equipment and related infrastructure, that will increase energy efficiency at the airport.

(2) APPLICATION.—To be eligible for a grant under paragraph (1), the sponsor of a public-use airport shall submit an application, including a certification that no safety projects are being be<sup>1</sup> deferred by requesting a grant under this section, to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(Added Pub. L. 112–95, title V, § 512(a), Feb. 14, 2012, 126 Stat. 109, § 47140a; renumbered § 47140 and amended Pub. L. 115–254, div. B, title I, §§ 166(b)(1), 171, Oct. 5, 2018, 132 Stat. 3226, 3227.)

## Editorial Notes

## PRIOR PROVISIONS

A prior section 47140, added Pub. L. 108–176, title I, § 159(a)(1), Dec. 12, 2003, 117 Stat. 2509, related to airport ground support equipment emissions retrofit pilot program, prior to repeal by Pub. L. 115–254, div. B, title I, § 166(a), Oct. 5, 2018, 132 Stat. 3226.

<sup>1</sup> So in original.

## AMENDMENTS

2018—Pub. L. 115–254, § 166(b)(1), renumbered section 47140a of this title as this section.

Subsec. (a). Pub. L. 115–254, § 171(a), inserted “, and to reimburse the airport sponsor for the costs incurred in conducting the assessment” before period at end.

Subsec. (b)(2). Pub. L. 115–254, § 171(b), inserted “, including a certification that no safety projects are being deferred by requesting a grant under this section,” after “an application”.

## [§ 47140a. Renumbered § 47140]

## § 47141. Compatible land use planning and projects by State and local governments

(a) IN GENERAL.—The Secretary of Transportation may make grants, from amounts set aside under section 47117(e)(1)(A), to States and units of local government for development and implementation of land use compatibility plans and implementation of land use compatibility projects resulting from those plans for the purposes of making the use of land areas around large hub airports and medium hub airports compatible with aircraft operations. The Secretary may make a grant under this section for a land use compatibility plan or a project resulting from such plan only if—

(1) the airport operator has not submitted a noise compatibility program to the Secretary under section 47504 or has not updated such program within the preceding 10 years; and

(2) the land use plan or project meets the requirements of this section.

(b) ELIGIBILITY.—In order to receive a grant under this section, a State or unit of local government must—

(1) have the authority to plan and adopt land use control measures, including zoning, in the planning area in and around a large or medium hub airport;

(2) enter into an agreement with the airport owner or operator that the development of the land use compatibility plan will be done cooperatively; and

(3) provide written assurance to the Secretary that it will achieve, to the maximum extent possible, compatible land uses consistent with Federal land use compatibility criteria under section 47502(3) and that those compatible land uses will be maintained.

(c) ASSURANCES.—The Secretary shall require a State or unit of local government to which a grant may be made under this section for a land use plan or a project resulting from such plan to provide—

(1) assurances satisfactory to the Secretary that the plan—

(A) is reasonably consistent with the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses;

(B) addresses ways to achieve and maintain compatible land uses, including zoning, building codes, and any other land use compatibility measures under section 47504(a)(2) that are within the authority of the State or unit of local government to implement;

(C) uses noise contours provided by the airport operator that are consistent with the airport operation and planning, including