

“in each fiscal year” in introductory provisions and realigned margins of subpars. (A) to (D).

Subsec. (f)(1)(E). Pub. L. 109-59, §3002(b)(4), substituted “public transportation” for “mass transportation”.

Subsec. (f)(2). Pub. L. 109-59, §3013(e)(2), inserted heading and substituted “Secretary, after consultation with affected intercity bus service providers,” for “Secretary of Transportation”.

Subsec. (g). Pub. L. 109-59, §3013(f), substituted “Government” for “Government’s” in heading and amended text generally. Prior to amendment, text read as follows:

“(1) In this subsection, ‘amounts of the Government or revenues’ do not include amounts received under a service agreement with a State or local social service agency or a private social service organization.

“(2) A grant of the Government for a capital project under this section may not be more than 80 percent of the net cost of the project, as determined by the Secretary of Transportation. A grant to pay a subsidy for operating expenses may not be more than 50 percent of the net cost of the operating expense project. At least 50 percent of the remainder shall be provided in cash from sources other than amounts of the Government or revenues from providing mass transportation. Transit system amounts that make up the remainder shall be from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.”

Subsec. (h). Pub. L. 109-59, §3013(g), redesignated subsec. (i) as (h) and struck out heading and text of former subsec. (h). Text read as follows: “An amount made available under this section may be used for operating assistance.”

Subsec. (i). Pub. L. 109-59, §3013(g)(2), redesignated subsec. (j) as (i). Former subsec. (i) redesignated (h).

Subsec. (i)(1). Pub. L. 109-59, §3013(h), which directed amendment of subsec. (j)(1) by substituting “if the Secretary of Labor utilizes a special warranty that provides a fair and equitable arrangement to protect the interests of employees” for “but the Secretary of Labor may waive the application of section 5333(b)”, was executed by making the substitution in subsec. (i)(1) to reflect the probable intent of Congress and the redesignation of subsec. (j) as (i) by Pub. L. 109-59, §3013(g)(2). See above.

Subsec. (j). Pub. L. 109-59, §3013(g)(2), redesignated subsec. (j) as (i).

1998—Pub. L. 105-178, §3014(a)(1), substituted “Formula grants” for “Financial assistance” in section catchline.

Subsec. (f)(1). Pub. L. 105-178, §3014(a)(2), struck out “10 percent of the amount made available in the fiscal year ending September 30, 1993, and” before “15 percent of the amount” in introductory provisions.

§ 5312. Research, development, demonstration, and deployment projects

(a) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROJECTS.—

(1) IN GENERAL.—The Secretary may make grants, contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the United States Government) for research, development, demonstration, and deployment projects, and evaluation of technology of national significance to public transportation, that the Secretary determines will improve public transportation service or help public transportation service meet the total transportation needs at a minimum cost.

(2) INFORMATION.—The Secretary may request and receive appropriate information from any source.

(3) SAVINGS PROVISION.—This subsection does not limit the authority of the Secretary under any other law.

(b) JOINT PARTNERSHIP PROGRAM FOR DEPLOYMENT OF INNOVATION.—

(1) DEFINITION OF CONSORTIUM.—In this subsection, the term “consortium”—

(A) means 1 or more public or private organizations located in the United States that provide public transportation service to the public and 1 or more businesses, including small- and medium-sized businesses, incorporated in a State, offering goods or services or willing to offer goods and services to public transportation operators; and

(B) may include, as additional members, public or private research organizations located in the United States, or State or local governmental authorities.

(2) GENERAL AUTHORITY.—The Secretary may, under terms and conditions that the Secretary prescribes, enter into grants, contracts, cooperative agreements, and other agreements with consortia selected in accordance with paragraph (4), to promote the early deployment of innovation in public transportation services, management, operational practices, or technology that has broad applicability. This paragraph shall be carried out in consultation with the transit industry by competitively selected consortia that will share costs, risks, and rewards of early deployment of innovation.

(3) CONSORTIUM CONTRIBUTION.—A consortium assisted under this subsection shall provide not less than 50 percent of the costs of any joint partnership project. Any business, organization, person, or governmental body may contribute funds to a joint partnership project.

(4) NOTICE REQUIREMENT.—The Secretary shall periodically give public notice of the technical areas for which joint partnerships are solicited, required qualifications of consortia desiring to participate, the method of selection and evaluation criteria to be used in selecting participating consortia and projects, and the process by which innovation projects described in paragraph (1) will be awarded.

(5) USE OF REVENUES.—The Secretary shall accept, to the maximum extent practicable, a portion of the revenues resulting from sales of an innovation project funded under this section. Such revenues shall be accounted for separately within the Mass Transit Account of the Highway Trust Fund and shall be available to the Secretary for activities under this subsection. Annual revenues that are less than \$1,000,000 shall be available for obligation without further appropriation and shall not be subject to any obligation limitation.

(c) INTERNATIONAL PUBLIC TRANSPORTATION PROGRAM.—

(1) ACTIVITIES.—The Secretary is authorized to engage in activities to inform the United States domestic public transportation community about technological innovations available in the international marketplace and activities that may afford domestic businesses the opportunity to become globally competitive in the export of public transportation products and services. Such activities may include—

(A) development, monitoring, assessment, and dissemination domestically of informa-

tion about worldwide public transportation market opportunities;

(B) cooperation with foreign public sector entities in research, development, demonstration, training, and other forms of technology transfer and exchange of experts and information;

(C) advocacy, in international public transportation markets, of firms, products, and services available from the United States;

(D) informing the international market about the technical quality of public transportation products and services through participation in seminars, expositions, and similar activities; and

(E) offering those Federal Transit Administration technical services which cannot be readily obtained from the United States private sector to foreign public authorities planning or undertaking public transportation projects if the cost of these services will be recovered under the terms of each project.

(2) COOPERATION.—The Secretary may carry out activities under this subsection in cooperation with other Federal agencies, State or local agencies, public or private nonprofit institutions, government laboratories, foreign governments, or any other organization the Secretary determines is appropriate.

(3) FUNDING.—The funds available to carry out this subsection shall include revenues paid to the Secretary by any cooperating organization or person. Such revenues shall be available to the Secretary to carry out activities under this subsection, including promotional materials, travel, reception, and representation expenses necessary to carry out such activities. Annual revenues that are less than \$1,000,000 shall be available for obligation without further appropriation and shall not be subject to any obligation limitation. Not later than January 1 of each fiscal year, the Secretary shall publish a report on the activities under this paragraph funded from the account.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 811; Pub. L. 105–178, title III, §3015(a), June 9, 1998, 112 Stat. 359; Pub. L. 109–59, title III, §§3002(b)(4), 3014(a)–(e)(1), Aug. 10, 2005, 119 Stat. 1545, 1596, 1597; Pub. L. 110–244, title II, §201(f), June 6, 2008, 122 Stat. 1610.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5312(a)	49 App.:1605(a).	July 9, 1964, Pub. L. 88–365, §6(a), 78 Stat. 305; May 25, 1967, Pub. L. 90–19, §20(a), 81 Stat. 25; Oct. 15, 1970, Pub. L. 91–453, §13(b), 84 Stat. 969.
	49 App.:1605(d).	July 9, 1964, Pub. L. 88–365, §6(d), 78 Stat. 305; Sept. 8, 1966, Pub. L. 89–562, §3, 80 Stat. 717; May 25, 1967, Pub. L. 90–19, §20(a), 81 Stat. 25.
5312(b)(1)	49 App.:1607c(a) (1st, 2d sentences).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §11(a); added Sept. 8, 1966, Pub. L. 89–562, §2(a)(2), 80 Stat. 716.
5312(b)(2)	49 App.:1607c(a) (3d sentence).	
5312(b)(3)	49 App.:1607c(a) (last sentence).	

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5312(c)(1)	49 App.:1607b (1st sentence).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §10; added Sept. 8, 1966, Pub. L. 89–562, §2(a)(2), 80 Stat. 716; restated Nov. 6, 1978, Pub. L. 95–599, §306, 92 Stat. 2744.
5312(c)(2)	49 App.:1603(c) (1st sentence).	July 9, 1964, Pub. L. 88–365, 78 Stat. 302, §4(c) (1st sentence); added Nov. 6, 1978, Pub. L. 95–599, §303(e), 92 Stat. 2739; Apr. 2, 1987, Pub. L. 100–17, §320, 101 Stat. 235; Dec. 18, 1991, Pub. L. 102–240, §3006(h)(1), 105 Stat. 2090.
5312(c)(3)	49 App.:1607b (2d–last sentences).	

In subsections (a) and (b)(1), the words “(or the Secretary of Housing and Urban Development when required by section 5334(i) of this title)” are added for clarity.

In subsection (a), the word “working” is omitted as surplus. The words “departments, agencies, and instrumentalities of the United States Government” are substituted for “other Federal departments and agencies” for consistency in the revised title and with other titles of the United States Code. The words “all phases of”, “(including the development, testing, and demonstration of new facilities, equipment, techniques, and methods)”, “In carrying out the provisions of this section”, “or data as he deems”, “public or private”, and “contained . . . section 1701d–3 of title 12 or . . . other provision of” are omitted as surplus.

In subsection (b)(1), before clause (A), the words “public and private”, “assist in establishing or carrying on comprehensive research in the problems of transportation in urban areas. Such grants shall be used to”, and “and qualified” are omitted as surplus. In clause (A), the words “or both” are omitted as surplus.

In subsection (b)(3), the word “appropriate” is added for clarity.

In subsection (c)(1), the words “and agencies thereof” are omitted as surplus.

In subsection (c)(3), before clause (A), the words “public or private training” and “the sum of” are omitted as surplus. In clause (B), the words “in connection with the fellowship” are omitted as surplus.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110–244 substituted “Public Transportation” for “Mass Transportation” in heading.

2005—Pub. L. 109–59, §3014(e)(1), substituted “deployment” for “training” in section catchline.

Subsec. (a). Pub. L. 109–59, §3014(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “The Secretary of Transportation (or the Secretary of Housing and Urban Development when required by section 5334(i) of this title) may undertake, or make grants or contracts (including agreements with departments, agencies, and instrumentalities of the United States Government) for, research, development, and demonstration projects related to urban mass transportation that the Secretary decides will help reduce urban transportation needs, improve mass transportation service, or help mass transportation service meet the total urban transportation needs at a minimum cost. The Secretary may request and receive appropriate information from any source. This subsection does not limit the authority of the Secretary under another law.”

Subsec. (b). Pub. L. 109–59, §3014(b), redesignated subsec. (d) as (b) and struck out former subsec. (b) which related to grants to nonprofit institutions of higher learning for research, investigations, and training.

Subsec. (c). Pub. L. 109–59, §3014(b), redesignated subsec. (e) as (c) and struck out former subsec. (c) which related to grants to States, local governmental au-

thorities, and operators of mass transportation systems for training fellowships and grants to State and local governmental authorities for projects that would use innovative techniques and methods in managing and providing mass transportation.

Subsec. (c)(2). Pub. L. 109-59, § 3014(c), substituted “public or private” for “public and private”.

Subsec. (c)(3). Pub. L. 109-59, § 3014(d), struck out “shall be accounted for separately within the Mass Transit Account of the Highway Trust Fund and” after “Such revenues”.

Subsec. (d). Pub. L. 109-59, § 3014(b), redesignated subsec. (d) as (b).

Subsec. (d)(1)(A), (2). Pub. L. 109-59, § 3002(b)(4), substituted “public transportation” for “mass transportation” wherever appearing.

Subsec. (e). Pub. L. 109-59, § 3014(b), redesignated subsec. (e) as (c).

Subsec. (e)(1). Pub. L. 109-59, § 3002(b)(4), substituted “public transportation” for “mass transportation” wherever appearing.

1998—Subsecs. (d), (e). Pub. L. 105-178 added subsecs. (d) and (e).

§ 5313. Transit cooperative research program

(a) COOPERATIVE RESEARCH PROGRAM.—The amounts made available under subsections (a)(5)(C)(iii) and (d)(1) of section 5338 are available for a public transportation cooperative research program. The Secretary of Transportation shall establish an independent governing board for the program. The board shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

(b) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary decides are appropriate.

(c) GOVERNMENT’S SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.

(Pub. L. 103-272, § 1(d), July 5, 1994, 108 Stat. 812; Pub. L. 105-178, title III, § 3029(b)(4), (5), June 9, 1998, 112 Stat. 372; Pub. L. 109-59, title III, §§ 3002(b)(4), 3015(a), (b)(1), Aug. 10, 2005, 119 Stat. 1545, 1597.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5313(a)	49 App.:1622(a)(1).	July 9, 1964, Pub. L. 88-365, 78 Stat. 302, § 26(a); added Dec. 18, 1991, Pub. L. 102-240, § 3030, 105 Stat. 2117; Oct. 6, 1992, Pub. L. 102-388, § 502(r), 106 Stat. 1567.
5313(b)	49 App.:1622(a)(2).	
5313(c)	49 App.:1622(b)(8) (related to subsection (a)(1)).	July 9, 1964, Pub. L. 88-365, 78 Stat. 302, § 26(b)(8) (related to subsection (a)(1)); added Dec. 18, 1991, Pub. L. 102-240, § 3030, 103 Stat. 2119.

In subsection (b)(1), the word “total” is omitted as surplus.

In subsection (b)(2), the word “subsection” in the source provision is translated as if it were “paragraph” to reflect the apparent intent of Congress.

In subsection (b)(3)(A), the words “for obligation”, “a period of”, and “the close of” are omitted as surplus.

AMENDMENTS

2005—Pub. L. 109-59, § 3015(b)(1), substituted “Transit cooperative research program” for “State planning and research programs” in section catchline.

Subsec. (a). Pub. L. 109-59, § 3015(a)(2), redesignated par. (2) as subsec. (b) and directed amendment of subsec. (a) by substituting “The amounts made available under subsections (a)(5)(C)(iii) and (d)(1) of section 5338” for “(1) The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c) of this title”, which was executed by making the substitution for “(1) The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(d) of this title”, to reflect the probable intent of Congress.

Subsec. (a)(1). Pub. L. 109-59, § 3002(b)(4), substituted “public transportation” for “mass transportation” in two places.

Subsec. (b). Pub. L. 109-59, § 3015(a)(1), (2)(B), redesignated subsec. (a)(2) as (b), inserted heading, and struck out former subsec. (b) which related to apportionment of amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c) of this title to States for grants and contracts consistent with the purposes of sections 5303-5306, 5312, 5315, 5317, and 5322 of this title.

Subsec. (c). Pub. L. 109-59, § 3015(a)(3), reenacted heading without change and amended text of subsec. (c) generally. Prior to amendment, text read as follows: “When there would be a clear and direct financial benefit to an entity under a grant or contract financed under subsection (a) of this section, the Secretary shall establish a United States Government share consistent with the benefit.”

1998—Subsec. (a)(1). Pub. L. 105-178, § 3029(b)(4), substituted “The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(d)” for “Fifty percent of the amounts made available under section 5338(g)(3)”.

Subsec. (b)(1). Pub. L. 105-178, § 3029(b)(5), substituted “The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c)” for “Fifty percent of the amounts made available under section 5338(g)(3)”.

§ 5314. National research programs

(a) PROGRAM.—(1) The amounts made available under section 5338(d) are available to the Secretary of Transportation for grants, contracts, cooperative agreements, or other agreements for the purposes of sections 5312, 5315, and 5322 of this title, as the Secretary considers appropriate.

(2) The Secretary shall provide public transportation-related technical assistance, demonstration programs, research, public education, and other activities the Secretary considers appropriate to help public transportation providers comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.). To the extent practicable, the Secretary shall carry out this paragraph through a contract with a national nonprofit organization serving individuals with disabilities that has a demonstrated capacity to carry out the activities.

(3) Not more than 25 percent of the amounts available under paragraph (1) of this subsection is available to the Secretary for special demonstration initiatives, subject to terms the Secretary considers consistent with this chapter, except that section 5333(b) of this title applies to an operational grant financed in carrying out section 5312(a) of this title. For a nonrenewable grant of not more than \$100,000, the Secretary shall provide expedited procedures on complying with the requirements of this chapter.

(4)(A) The Secretary may undertake a program of public transportation technology development in coordination with affected entities.