

this section. The total amount that a State may receive in grants under this section may not be more than \$500,000.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 850.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5504	49:301 (note).	Dec. 18, 1991, Pub. L. 102-240, §5003, 105 Stat. 2159.

§ 5505. National university transportation centers

(a) IN GENERAL.—

(1) ESTABLISHMENT AND OPERATION.—The Secretary of Transportation shall make grants under this section to eligible nonprofit institutions of higher learning to establish and operate national university transportation centers.

(2) ROLE OF CENTERS.—The role of each center shall be to advance significant transportation research on critical national transportation issues and to expand the workforce of transportation professionals.

(b) APPLICABILITY OF REQUIREMENTS.—A grant received by an eligible nonprofit institution of higher learning under this section shall be available for the same purposes, and shall be subject to the same terms and conditions, as a grant made to a nonprofit institution of higher learning under section 5506.

(c) ELIGIBLE NONPROFIT INSTITUTION OF HIGHER LEARNING DEFINED.—In this section, the term “eligible nonprofit institution of higher learning” means each of the following:

- (1) University of Alaska.
- (2) Marshall University, West Virginia, on behalf of a consortium of West Virginia colleges and universities.
- (3) University of Minnesota.
- (4) University of Missouri, Rolla.
- (5) Northwestern University.
- (6) Oklahoma Transportation Center.
- (7) Portland State University, in partnership with the University of Oregon, Oregon State University, and the Oregon Institute of Technology.
- (8) University of Vermont.
- (9) Western Transportation Institute at Montana State University.
- (10) University of Wisconsin.

(d) GRANTS.—The Secretary shall make a grant under this section to each eligible nonprofit institution of higher learning in an amount¹ \$2,000,000 in fiscal year 2005 and \$3,500,000 in each of fiscal years 2006 through 2009 to carry out this section.

(Added and amended Pub. L. 105-178, title V, §5110(a), (d), June 9, 1998, 112 Stat. 441; Pub. L. 105-206, title IX, §9011(d), July 22, 1998, 112 Stat. 863; Pub. L. 109-59, title V, §5401(a), Aug. 10, 2005, 119 Stat. 1814.)

AMENDMENTS

2005—Pub. L. 109-59 amended section catchline and text generally, substituting provisions relating to na-

tional university transportation centers for provisions relating to university transportation research.

1998—Subsec. (g)(2). Pub. L. 105-178, §5110(d)(1), as added by Pub. L. 105-206, substituted “section 508 of title 23, United States Code,” for “section 5506.”

Subsec. (i). Pub. L. 105-178, §5110(d)(2), as added by Pub. L. 105-206, inserted “Subject to section 5338(e):” before par. (1) and substituted “institutions or groups of institutions” for “institutions” wherever appearing.

Subsec. (j)(4)(B). Pub. L. 105-178, §5110(d)(3), as added by Pub. L. 105-206, substituted “on behalf of a consortium which may also include West Virginia University Institute of Technology, the College of West Virginia, and Bluefield State College” for “on behalf of a consortium of West Virginia colleges and universities”.

EFFECTIVE DATE OF 1998 AMENDMENT

Title IX of Pub. L. 105-206 effective simultaneously with enactment of Pub. L. 105-178 and to be treated as included in Pub. L. 105-178 at time of enactment, and provisions of Pub. L. 105-178, as in effect on day before July 22, 1998, that are amended by title IX of Pub. L. 105-206 to be treated as not enacted, see section 9016 of Pub. L. 105-206, set out as a note under section 101 of Title 23, Highways.

§ 5506. University transportation research

(a) IN GENERAL.—The Secretary of Transportation shall make grants under this section to nonprofit institutions of higher learning to establish and operate university transportation centers.

(b) OBJECTIVES.—Grants received under this section shall be used by nonprofit institutions of higher learning to advance significantly the state-of-the-art in transportation research and expand the workforce of transportation professionals through the following programs and activities:

(1) RESEARCH.—Basic and applied research, the products of which are judged by peers or other experts in the field of transportation to advance the body of knowledge in transportation.

(2) EDUCATION.—An education program relating to transportation that includes multidisciplinary course work and participation in research.

(3) TECHNOLOGY TRANSFER.—An ongoing program of technology transfer that makes transportation research results available to potential users in a form that can be implemented, utilized, or otherwise applied.

(c) REGIONAL, TIER I, AND TIER II CENTERS.—

(1) REGIONAL AND TIER I CENTERS.—For each of fiscal years 2005 through 2009, the Secretary shall make grants under subsection (a) to nonprofit institutions of higher learning to establish and operate—

(A) 10 regional university transportation centers; and

(B) 10 Tier I university transportation centers.

(2) TIER II CENTERS.—

(A) For each of fiscal years 2006 through 2009, the Secretary shall make grants under subsection (a) to nonprofit institutions of higher learning to establish and operate 22 Tier II university transportation centers.

(B) The Tier II centers consist of the following:

(i) University of Arkansas, Mack-Blackwell Rural Transportation Center.

¹ So in original. Probably should be followed by “of”.

- (ii) University of California, Davis.
- (iii) California State University, San Bernardino.
- (iv) Cleveland State University, Work Zone Safety Institute.
- (v) University of Connecticut.
- (vi) University of Delaware in Newark.
- (vii) University of Detroit Mercy (including the coalition partners of the university).
- (viii) George Mason University.
- (ix) Hampton University, Eastern Seaboard Intermodal Transportation Applications Center (ESITAC).
- (x) Kansas State University.
- (xi) Louisiana State University, LTRC-TTEC.
- (xii) University of Massachusetts Amherst.
- (xiii) Michigan Technological University.
- (xiv) University of Nevada Las Vegas.
- (xv) North Carolina State University, Center for Transportation and the Environment.
- (xvi) Northwestern University.
- (xvii) Ohio Higher Education Transportation Consortium University of Akron.
- (xviii) University of Rhode Island.
- (xix) University of Toledo.
- (xx) Utah State University.
- (xxi) Youngstown State University.
- (xxii) University of Memphis.

(3) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 United States Government regions that comprise the Standard Federal Regional Boundary System.

(4) LIMITATION.—A nonprofit institution of higher learning may not directly receive a grant under this section for a fiscal year for more than one university transportation center.

(d) COMPETITIVE SELECTION PROCESS.—

(1) APPLICATIONS.—In order to be eligible to receive a grant under subsection (c)(1), a nonprofit institution of higher learning shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

(2) GENERAL SELECTION CRITERIA.—Except as otherwise provided by this section, the Secretary shall select each recipient of a grant under subsection (c)(1) through a competitive process on the basis of the following:

(A) The demonstrated research and extension resources available to the recipient to carry out this section.

(B) The capability of the recipient to provide leadership in making national and regional contributions to the solution of immediate and long-range transportation problems.

(C) The recipient's demonstrated commitment of at least \$400,000 each year in regularly budgeted institutional amounts to support ongoing transportation research and education programs.

(D) The recipient's demonstrated ability to disseminate results of transportation re-

search and education programs through a statewide or regionwide continuing education program.

(E) The strategic plan the recipient proposes to carry out under the grant.

(e) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—

(1) COMPETITION.—Not later than March 31, 2006, and not later than March 31st of every 4th year thereafter, the Secretary shall complete a competition among nonprofit institutions of higher learning for grants to establish and operate the 10 regional university transportation centers referred to in subsection (c)(1)(A).

(2) SELECTION CRITERIA.—In conducting a competition under paragraph (1), the Secretary shall select a nonprofit institution of higher learning on the basis of—

(A) the criteria described in subsection (d)(2);

(B) the location of the center within the Federal region to be served; and

(C) whether or not the institution (or, in the case of a consortium of institutions, the lead institution) demonstrates that it has a well-established, nationally recognized program in transportation research and education, as evidenced by—

(i) not less than \$2,000,000 in highway or public transportation research expenditures each year for each of the preceding 5 years;

(ii) not less than 10 graduate degrees awarded in professional fields closely related to highways and public transportation each year for each of the preceding 5 years; and

(iii) not less than 5 tenured or tenure-track faculty members who specialize on a full-time basis in professional fields closely related to highways and public transportation who, as a group, have published a total at least 50 refereed journal publications on highway or public transportation research during the preceding 5 years.

(3) GRANT RECIPIENTS.—After selecting a nonprofit institution of higher learning as a grant recipient on the basis of a competition conducted under this subsection, the Secretary shall make a grant to the recipient to establish and operate a regional university transportation center in each of the first 4 fiscal years beginning after the date of the competition.

(4) SPECIAL RULE FOR FISCAL YEARS 2005 AND 2006.—For fiscal years 2005 and 2006, the Secretary shall make a grant under this section to each of the 10 nonprofit institutions of higher learning that were competitively selected for grants by the Secretary under this section in July 1999 to operate regional university transportation centers.

(5) AMOUNT OF GRANTS.—The Secretary shall make a grant to a nonprofit institution of higher learning to establish and operate a regional university transportation center of—

(A) \$1,000,000 for fiscal year 2005;

(B) \$2,000,000 for each of fiscal years 2006 through 2008; and

(C) \$2,250,000 for fiscal year 2009.

(f) TIER I UNIVERSITY TRANSPORTATION CENTERS.—

(1) COMPETITION.—Not later than June 30, 2006, and not later than June 30 of every 4th year thereafter, the Secretary shall complete a competition among nonprofit institutions of higher learning for grants to establish and operate the 10 Tier I university transportation centers referred to in subsection (c)(1)(B).

(2) SELECTION CRITERIA.—In conducting a competition under paragraph (1), the Secretary shall select a nonprofit institution of higher learning on the basis of—

(A) the criteria described in subsection (d)(2); and

(B) whether or not the institution (or, in the case of a consortium of institutions, the lead institution) can demonstrate that it has an established, recognized program in transportation research and education, as evidenced by—

(i) not less than \$1,000,000 in highway or public transportation research expenditures each year for each of the preceding 5 years or not less than \$6,000,000 in such expenditures during the 5 preceding years;

(ii) not less than 5 graduate degrees awarded in professional fields closely related to highways and public transportation each year for each of the preceding 5 years; and

(iii) not less than 3 tenured or tenure-track faculty members who specialize on a full-time basis in professional fields closely related to highways and public transportation who, as a group, have published a total at least 20 refereed journal publications on highway or public transportation research during the preceding 5 years.

(3) GRANT RECIPIENTS.—After selecting a nonprofit institution of higher learning as a grant recipient on the basis of a competition conducted under this subsection, the Secretary shall make a grant to the recipient to establish and operate a Tier I university transportation center in each of the first 4 fiscal years beginning after the date of the competition.

(4) SPECIAL RULE FOR FISCAL YEARS 2005 AND 2006.—For fiscal years 2005 and 2006, the Secretary shall make a grant under this section to each of the 10 nonprofit institutions of higher learning that were competitively selected for grant awards by the Secretary under this section in May 2002 to operate university transportation centers (other than regional centers).

(5) AMOUNT OF GRANTS.—The Secretary shall make a grant of \$1,000,000 for each of fiscal years 2005 through 2009 to a nonprofit institution of higher learning to establish and operate a Tier I university transportation center.

(g) TIER II UNIVERSITY TRANSPORTATION CENTERS.—

(1) SELECTION.—The Secretary shall make grants to the nonprofit institutions of higher learning to establish and operate the 22 Tier II university transportation centers referred to in subsection (c)(2)(B).

(2) AMOUNT OF GRANTS.—The Secretary shall make a grant of \$500,000 for each of fiscal years 2006 through 2009 to a nonprofit institution of higher learning to establish and operate a Tier II university transportation center.

(h) SUPPORT OF NATIONAL STRATEGY FOR SURFACE TRANSPORTATION RESEARCH.—In order to be eligible to receive a grant under this section, a nonprofit institution of higher learning shall provide assurances satisfactory to the Secretary that the research and education activities of its university transportation center will support the national strategy for surface transportation research, as identified by—

(1) the report of the National Highway Research and Technology Partnership entitled “Highway Research and Technology: The Need for Greater Investment”, dated April 2002; and

(2) the programs of the National Research and Technology Program of the Federal Transit Administration.

(i) MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—In order to be eligible to receive a grant under this section, a nonprofit institution of higher learning shall enter into an agreement with the Secretary to ensure that the institution will maintain total expenditures from all other sources to establish and operate a university transportation center and related research activities at a level at least equal to the average level of such expenditures in its 2 fiscal years prior to award of a grant under this section.

(2) SPECIAL RULE.—Nothing in paragraph (1) requires a nonprofit institution of higher learning designated as a Tier II university transportation center to maintain total expenditures as described in paragraph (1) in excess of the amount of the grant awarded to the institution.

(j) FEDERAL SHARE.—The Federal share of the costs of activities carried out using a grant made under this section shall be 50 percent of such costs. The non-Federal share may include funds provided to a recipient under section 503, 504(b), or 505 of title 23.

(k) PROGRAM COORDINATION.—

(1) COORDINATION.—The Secretary shall coordinate the research, education, and technology transfer activities that grant recipients carry out under this section, disseminate the results of the research, and establish and operate a clearinghouse to disseminate the results of the research.

(2) ANNUAL REVIEW AND EVALUATION.—At least annually, and consistent with the plan developed under section 508 of title 23, the Secretary shall review and evaluate programs of grant recipients.

(3) MANAGEMENT AND OVERSIGHT.—For each of fiscal years 2008 and 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section to carry out management and oversight of the centers receiving assistance under this section and section 5505.

(l) PROGRAM ADMINISTRATION.—The Secretary shall carry out this section acting through the Administrator of the Research and Innovative Technology Administration.

(m) LIMITATION ON AVAILABILITY OF FUNDS.—Funds made available to carry out this section shall remain available for obligation by the Secretary for a period of 2 years after the last day of the fiscal year for which such funds are authorized.

(Added Pub. L. 105-178, title V, §511(a), June 9, 1998, 112 Stat. 444; amended Pub. L. 109-59, title V, §5402(a), Aug. 10, 2005, 119 Stat. 1815; Pub. L. 110-244, title I, §§111(g)(3), 116, June 6, 2008, 122 Stat. 1605, 1607.)

AMENDMENTS

2008—Subsec. (c)(2)(B). Pub. L. 110-244, §111(g)(3)(A), substituted “Tier” for “tier” in introductory provisions.

Subsec. (e)(5)(C). Pub. L. 110-244, §116, substituted “\$2,250,000” for “\$2,225,000”.

Subsec. (i). Pub. L. 110-244, §111(g)(3)(B), designated existing provisions as par. (1), inserted heading, and added par. (2).

Subsec. (k)(3). Pub. L. 110-244, §111(g)(3)(C), substituted “For each of fiscal years 2008 and 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section” for “The Secretary shall expend not more than \$400,000 for each of fiscal years 2005 through 2009 from amounts made available to carry out this section”.

2005—Pub. L. 109-59 amended section catchline and text generally, substituting provisions relating to university transportation research for provisions relating to advanced vehicle technologies program.

SUBCHAPTER II—TERMINALS

§ 5561. Definition

In this chapter, “civic and cultural activities” includes libraries, musical and dramatic presentations, art exhibits, adult education programs, public meeting places, and other facilities for carrying on an activity any part of which is supported under a law of the United States.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 851.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5561	49 App.:1653(i)(10).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(10); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1530, 1533; Feb. 5, 1976, Pub. L. 94-210, §707(3), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.

In this chapter, both sections 6 and 15 of the Amtrak Improvement Act (Public Law 93-496, 88 Stat. 1528, 1533) are listed as source credits for the addition of section 4(i) to the Department of Transportation Act (Public Law 89-670, 80 Stat. 931). This is done to conform to the probable intent of Congress as evidenced by the directory language of section 15 of the Act of October 28, 1974.

In this section, the words “for community groups, convention visitors and others” are omitted as unnecessary.

§ 5562. Assistance projects

(a) REQUIREMENTS TO PROVIDE ASSISTANCE.—The Secretary of Transportation shall provide financial, technical, and advisory assistance under this chapter to—

- (1) promote, on a feasibility demonstration basis, the conversion of at least 3 rail pas-

senger terminals into intermodal transportation terminals;

- (2) preserve rail passenger terminals that reasonably are likely to be converted or maintained pending preparation of plans for their reuse;

- (3) acquire and use space in suitable buildings of historic or architectural significance but only if use of the space is feasible and prudent when compared to available alternatives; and

- (4) encourage State and local governments, local and regional transportation authorities, common carriers, philanthropic organizations, and other responsible persons to develop plans to convert rail passenger terminals into intermodal transportation terminals and civic and cultural activity centers.

(b) EFFECT ON ELIGIBILITY.—This chapter does not affect the eligibility of any rail passenger terminal for preservation or reuse assistance under another program or law.

(c) ACQUIRING SPACE.—The Secretary may acquire space under subsection (a)(3) of this section only after consulting with the Advisory Council on Historic Preservation and the Chairman of the National Endowment for the Arts.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 851.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5562(a)	49 App.:1653(i)(1).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(1); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1528, 1533; Feb. 5, 1976, Pub. L. 94-210, §707(1), (2), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.
5562(b)	49 App.:1653(i)(11).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(11); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1530, 1533; Feb. 5, 1976, Pub. L. 94-210, §707(3), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.
5562(c)	49 App.:1653(i)(4).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(4); added Feb. 5, 1976, Pub. L. 94-210, §707(4), 90 Stat. 125; May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 412.

In subsection (a)(3), the words “but only if” are substituted for “unless . . . would not” for consistency.

In subsection (a)(4), the word “encourage” is substituted for “stimulating” for clarity.

In subsection (b), the words “This chapter does not affect” are substituted for “Nothing in this subsection shall be construed to invalidate” for clarity and consistency. The words “rail passenger terminal” are substituted for “station”, and the word “law” is substituted for “statute”, for consistency.

§ 5563. Conversion of certain rail passenger terminals

(a) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary of Transportation may provide financial assistance to convert a rail passenger terminal to an intermodal transportation terminal under section 5562(a)(1) of this title only if—

- (1) the terminal can be converted to accommodate other modes of transportation the Secretary of Transportation decides are appropriate, including—