

(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, §5111(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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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. Row 2: 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. Row 3: 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—

- (A) motorbus transportation;
- (B) mass transit (rail or rubber tire); and
- (C) airline ticket offices and passenger terminals providing direct transportation to area airports;

(2) the terminal is listed on the National Register of Historic Places maintained by the Secretary of the Interior;

(3) the architectural integrity of the terminal will be preserved;

(4) to the extent practicable, the use of the terminal facilities for transportation may be combined with use of those facilities for other civic and cultural activities, especially when another activity is recommended by—

(A) the Advisory Council on Historic Preservation;

(B) the Chairman of the National Endowment for the Arts; or

(C) consultants retained under subsection (b) of this section; and

(5) the terminal and the conversion project meet other criteria prescribed by the Secretary of Transportation after consultation with the Council and Chairman.

(b) ARCHITECTURAL INTEGRITY.—The Secretary of Transportation must employ consultants on whether the architectural integrity of the rail passenger terminal will be preserved under subsection (a)(3) of this section. The Secretary may decide that the architectural integrity will be preserved only if the consultants concur. The Council and Chairman shall recommend consultants to be employed by the Secretary. The consultants also may make recommendations referred to in subsection (a)(4) of this section.

(c) GOVERNMENT'S SHARE OF COSTS.—The Secretary of Transportation may not make a grant under this section for more than 80 percent of the total cost of converting a rail passenger terminal into an intermodal transportation terminal.

(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)
5563(a), (b)	49 App.:1653(i)(2) (1st sentence).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(2); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1528, 1533; May 26, 1975, Pub. L. 94-25, §13, 89 Stat. 93; Oct. 5, 1978, Pub. L. 95-421, §14, 92 Stat. 929.
5563(c) .....	49 App.:1653(i)(2) (last sentence).	

In subsection (a), before clause (1), the words “to convert a rail passenger terminal to an intermodal transportation terminal under section 5562(a)(1) of this title” are substituted for “for the purpose set forth in paragraph (1)(A) of this subsection” for clarity and because of the restatement. In clause (5), the word “prescribed” is substituted for “develop and promulgate” for consistency in the revised title and with other titles of the United States Code.

Subsection (b) is substituted for “and such judgment is concurred in by consultants recommended by the Chairman of the National Endowment of [sic] the Arts and the Advisory Council on Historic Preservation and retained for this purpose by the Secretary” for clarity and consistency in the revised title.

§ 5564. Interim preservation of certain rail passenger terminals

(a) GENERAL GRANT AUTHORITY.—Subject to subsection (b) of this section, the Secretary of Transportation may make a grant of financial assistance to a responsible person (including a governmental authority) to preserve a rail passenger terminal under section 5562(a)(2) of this title. To receive assistance under this section, the person must be qualified, prepared, committed, and authorized by law to maintain (and prevent the demolition, dismantling, or further deterioration of) the terminal until plans for its reuse are prepared.

(b) GRANT REQUIREMENTS.—The Secretary of Transportation may make a grant of financial assistance under this section only if—

(1) the Secretary decides the rail passenger terminal has a reasonable likelihood of being converted to, or conditioned for reuse as, an intermodal transportation terminal, a civic or cultural activities center, or both; and

(2) planning activity directed toward conversion or reuse has begun and is proceeding in a competent way.

(c) MAXIMIZING PRESERVATION OF TERMINALS.—(1) Amounts appropriated to carry out this section and section 5562(a)(2) of this title shall be expended in the way most likely to maximize the preservation of rail passenger terminals that are—

(A) reasonably capable of conversion to intermodal transportation terminals;

(B) listed in the National Register of Historic Places maintained by the Secretary of the Interior; or

(C) recommended (on the basis of architectural integrity and quality) by the Advisory Council on Historic Preservation or the Chairman of the National Endowment for the Arts.

(2) The Secretary of Transportation may not make a grant under this section for more than 80 percent of the total cost of maintaining the terminal for an interim period of not more than 5 years.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 852.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5564(a) .....	49 App.:1653(i)(3) (1st sentence words before proviso).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §4(i)(3); added Oct. 28, 1974, Pub. L. 93-496, §§6, 15, 88 Stat. 1529, 1533; Oct. 5, 1978, Pub. L. 95-421, §14, 92 Stat. 929.
5564(b) .....	49 App.:1653(i)(3) (1st sentence proviso).	
5564(c) .....	49 App.:1653(i)(3) (2d, last sentences).	

In subsection (a), the words “Subject to subsection (b) of this section” are added for clarity. The word “authority” is substituted for “entity” for consistency in the revised title. The words “in accordance with regulations” and “applicable” are omitted as surplus.

In subsection (b), the words before clause (1) are substituted for “Provided, That” for clarity and consistency in the revised title.

In subsection (c)(2), the words “The Secretary of Transportation may not make a grant” are substituted for “The amount of the Federal share of any grant . . . shall not exceed” for clarity and consistency in this chapter.