§ 5318. Bus testing facility

(a) Facility.— The Secretary shall maintain one facility for testing a new bus model for maintainability, reliability, safety, performance (including braking performance), structural integrity, fuel economy, emissions, and noise.

(b) Operation and Maintenance.— The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, a qualified person or organization to operate and maintain the facility. The contract, cooperative agreement, or grant may provide for the testing of rail cars and other public transportation vehicles at the facility.

(c) Fees.— The person operating and maintaining the facility shall establish and collect fees for the testing of vehicles at the facility. The Secretary must approve the fees.

(d) Availability of Amounts To Pay for Testing.— The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, the operator of the facility under which the Secretary shall pay 80 percent of the cost of testing a vehicle at the facility from amounts available to carry out this section. The entity having the vehicle tested shall pay 20 percent of the cost.

(e) Acquiring New Bus Models.— Amounts appropriated or made available under this chapter may be obligated or expended to acquire a new bus model only if a bus of that model has been tested at the facility maintained by the Secretary under subsection (a).


Historical and Revision Notes

Pub. L. 103–272

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In subsection (c), the words “Under the contract entered into under paragraph (2)” are omitted as surplus.
In subsection (d), the words “to the operator of the facility” are omitted as surplus.

In subsection (e), the text of section 317(b)(5) of the Surface Transportation and Relocation Assistance Act of 1987 (Public Law 100–17, 101 Stat. 132) is omitted as obsolete. The words “operating and maintaining the facility” are substituted for “described in paragraph (3)” for clarity.

Pub. L. 103–429

This amends 49:5318(e) to correct an erroneous cross-reference.

Amendments

2005—Subsec. (a), Pub. L. 109–59, § 3020(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “The Secretary of Transportation shall establish one facility for testing a new bus model for maintainability, reliability, safety, performance (including braking performance), structural integrity, fuel economy, emissions, and noise. The facility shall be established by renovating a facility built with assistance of the United States Government to train rail personnel.”

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

Subsec. (d), Pub. L. 109–59, § 3020(b), substituted “to carry out this section” for “under section 5309 (m)(1)(C) of this title”.

Subsec. (e), Pub. L. 109–59, § 3020(c), amended heading and text of subsec. (e) generally. Prior to amendment, text read as follows: “The Secretary has a bus testing revolving loan fund consisting of amounts authorized for the fund under section 317(b)(5) of the Surface Transportation and Uniform Relocation Assistance Act of 1987. The Secretary shall make available as repayable advances from the fund to the person operating and maintaining the facility amounts to operate and maintain the facility.”

1998—Subsec. (b), Pub. L. 105–178, § 3018(a), substituted “enter into a contract or cooperative agreement with, or make a grant to,” for “make a contract with” and inserted “or organization” after “qualified person”, “cooperative agreement, or grant” after “The contract”, and “mass transportation” after “and other”.

Subsec. (d), Pub. L. 105–178, §§ 3018(b), 3029 (b)(8), substituted “enter into a contract or cooperative agreement with, or make a grant to,” for “make a contract with” and “5309(m)(1)(C) of this title” for “5338(j)(5) of this title”.


Effective Date of 1994 Amendment