

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 898; Pub. L. 104-88, title III, §308(f)(4), (5), Dec. 29, 1995, 109 Stat. 947; Pub. L. 104-316, title I, §127(c), Oct. 19, 1996, 110 Stat. 3840.)

**CHAPTER 223—CAPITAL GRANTS FOR CLASS II AND CLASS III RAILROADS**

Sec. 22301. Capital grants for class II and class III railroads.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
22107(a) .....	49 App.:1654(k)(1).	Oct. 15, 1966, Pub. L. 89-670, 80 Stat. 931, §5(k)-(m); added Feb. 5, 1976, Pub. L. 94-210, §803, 90 Stat. 130; Nov. 8, 1978, Pub. L. 95-607, §§102-106(a), 107-109(a), 92 Stat. 3059, 3062; Oct. 12, 1979, Pub. L. 96-86, §115(b), 93 Stat. 662; Aug. 13, 1981, Pub. L. 97-35, §§1191, 1192, 95 Stat. 699; Jan. 14, 1983, Pub. L. 97-468, §501, 96 Stat. 2551; Apr. 7, 1986, Pub. L. 99-272, §4018, 100 Stat. 111; restated Dec. 11, 1989, Pub. L. 101-213, §2(a), (c), 103 Stat. 1843, 1847.
22107(b) .....	49 App.:1654(k)(2), (3).	
22107(c) .....	49 App.:1654(l).	
22107(d) .....	49 App.:1654(m).	

In subsection (a), before clause (1), the words “an arrangement” are substituted for “whether in the form of grants, subgrants, contracts, subcontracts, or other arrangements”, and the word “project” is substituted for “project or undertaking”, to eliminate unnecessary words and for consistency in this chapter.

Subsection (b) is substituted for 49 App.:1654(k)(2) and (3) because of 31:ch. 75.

In subsection (d), the words “Not later than” are substituted for “On or before” for clarity. The word “submit” is substituted for “prepare, update, and submit” to eliminate unnecessary words. The words “based on level of usage” are omitted as surplus.

**Editorial Notes**

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-316 struck out “and the Comptroller General” after “Secretary”.

1995—Subsec. (c). Pub. L. 104-88, §308(f)(4), substituted “Surface Transportation Board” for “Interstate Commerce Commission” and “The Board” for “The Commission”.

Subsec. (d). Pub. L. 104-88, §308(f)(5), substituted “part A of subtitle IV” for “subchapter I of chapter 105”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of this title.

**[§ 22108. Repealed. Pub. L. 114-94, div. A, title XI, § 11301(c)(4), Dec. 4, 2015, 129 Stat. 1648]**

Section, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 898; Pub. L. 103-429, §6(20), Oct. 31, 1994, 108 Stat. 4379; Pub. L. 104-287, §5(48), Oct. 11, 1996, 110 Stat. 3393, related to authorization of appropriations.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF REPEAL

Repeal by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

**Editorial Notes**

AMENDMENTS

2007—Pub. L. 110-140, title XI, §1112(a), Dec. 19, 2007, 121 Stat. 1758, substituted “CAPITAL GRANTS FOR CLASS II AND CLASS III RAILROADS” for “LIGHT DENSITY RAIL LINE PILOT PROJECTS” in chapter heading and “Capital grants for class II and class III railroads” for “Light density rail line pilot projects” in item 22301.

**§ 22301. Capital grants for class II and class III railroads**

(a) ESTABLISHMENT OF PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of Transportation shall establish a program for making capital grants to class II and class III railroads. Such grants shall be for projects in the public interest that—

(A)(i) rehabilitate, preserve, or improve railroad track (including roadbed, bridges, and related track structures) used primarily for freight transportation;

(ii) facilitate the continued or greater use of railroad transportation for freight shipments; and

(iii) reduce the use of less fuel efficient modes of transportation in the transportation of such shipments; or

(B) demonstrate innovative technologies and advanced research and development that increase fuel economy, reduce greenhouse gas emissions, and lower the costs of operation.

(2) PROVISION OF GRANTS.—Grants may be provided under this chapter—

(A) directly to the class II or class III railroad; or

(B) with the concurrence of the class II or class III railroad, to a State or local government.

(3) STATE COOPERATION.—Class II and class III railroad applicants for a grant under this chapter are encouraged to utilize the expertise and assistance of State transportation agencies in applying for and administering such grants. State transportation agencies are encouraged to provide such expertise and assistance to such railroads.

(4) REGULATIONS.—Not later than October 1, 2008, the Secretary shall issue final regulations to implement the program under this section.

(b) MAXIMUM FEDERAL SHARE.—The maximum Federal share for carrying out a project under this section shall be 80 percent of the project cost. The non-Federal share may be provided by any non-Federal source in cash, equipment, or supplies. Other in-kind contributions may be approved by the Secretary on a case-by-case basis consistent with this chapter.

(c) USE OF FUNDS.—Grants provided under this section shall be used to implement track capital projects as soon as possible. In no event shall