

for “section 5338(i)”, to reflect the probable intent of Congress.

Subsec. (d)(1). Pub. L. 114-94, §3012(2)(A)(i), which directed substitution of section 5338(f) for “section 5338(i)” without placing quotation marks around the language to be substituted, was executed by substituting “section 5338(f)” for “section 5338(i)”, to reflect the probable intent of Congress.

Subsec. (d)(2), (3). Pub. L. 114-94, §3012(2)(A)(ii), (B), added pars. (2) and (3) and struck out former par. (2), which read as follows: “a requirement that oversight begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight.”

2012—Subsec. (a). Pub. L. 112-141, §20020(1)(A), in introductory provisions, substituted “Federal financial assistance for a major capital project for public transportation under this chapter or any other provision of Federal law, a recipient must prepare a project management plan approved by the Secretary and carry out the project in accordance with the project management plan” for “United States Government financial assistance for a major capital project under this chapter or the National Capital Transportation Act of 1969 (Public Law 91-143, 83 Stat. 320), a recipient must prepare and carry out a project management plan approved by the Secretary of Transportation”.

Subsec. (a)(12). Pub. L. 112-141, §20020(1)(B), substituted “quarterly” for “each month”.

Subsec. (c). Pub. L. 112-141, §20020(2), (3), added subsec. (c) and struck out former subsec. (c) which related to limitations.

Subsec. (d). Pub. L. 112-141, §20020(2), (4), redesignated subsec. (e) as (d) and struck out former subsec. (d) which related to access to sites and records.

Subsec. (d)(1). Pub. L. 112-141, §20020(5)(A), substituted “section 5338(i)” for “subsection (c) of this section”.

Subsec. (d)(2). Pub. L. 112-141, §20020(5)(B), substituted “project development phase” for “preliminary engineering stage” and “another phase” for “another stage”.

Subsec. (e). Pub. L. 112-141, §20020(4), redesignated subsec. (e) as (d).

Subsec. (f). Pub. L. 112-141, §20020(2), struck out subsec. (f). Text read as follows: “A recipient of financial assistance for a project under this chapter with an estimated total cost of \$1,000,000,000 or more shall submit to the Secretary an annual financial plan for the project. The plan shall be based on detailed annual estimates of the cost to complete the remaining elements of the project and on reasonable assumptions, as determined by the Secretary, of future increases in the cost to complete the project.”

2005—Subsec. (a)(13). Pub. L. 109-59, §3026(a), added par. (13).

Subsec. (c). Pub. L. 109-59, §3026(b), amended subsec. (c) generally. Prior to amendment, subsec. (c) specified limitations on use of available amounts for certain purposes.

1998—Subsec. (c)(2). Pub. L. 105-178, §3024(a), substituted “enter into contracts” for “make contracts” and inserted “and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section” before period at end of first sentence.

Subsec. (f). Pub. L. 105-178, §3024(b), added subsec. (f).
1996—Subsec. (c)(1). Pub. L. 104-287 substituted “to carry out a major project under section 5309” for “to carry out a major project under section 5307”.

1994—Subsec. (c)(1). Pub. L. 103-429 substituted “section 5307, 5309, 5311, or 103(e)(4) or that Act” for “section 5307, 5309, 5311, or 103(e)(4) of that Act”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note

under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-287 effective July 5, 1994, see section 8(1) of Pub. L. 104-287, set out as a note under section 5303 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

FINANCING OF OVERSIGHT ACTIVITIES

Pub. L. 107-87, title III, §319, Dec. 18, 2001, 115 Stat. 858, provided that: “Beginning in fiscal year 2002 and thereafter, the Secretary may use up to 1 percent of the amounts made available to carry out 49 U.S.C. 5309 for oversight activities under 49 U.S.C. 5327.”

[§ 5328. Repealed. Pub. L. 112-141, div. B, § 20002(a), July 6, 2012, 126 Stat. 622]

Section, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 828; Pub. L. 104-205, title III, §336, Sept. 30, 1996, 110 Stat. 2974; Pub. L. 104-287, §5(9), Oct. 11, 1996, 110 Stat. 3389; Pub. L. 105-178, title III, §3009(h)(2), (3)(B), (C), June 9, 1998, 112 Stat. 356; Pub. L. 105-206, title IX, §9009(h)(2), (3), July 22, 1998, 112 Stat. 856; Pub. L. 109-59, title III, §3027, Aug. 10, 2005, 119 Stat. 1623, related to project review and advancement by the Secretary.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

§ 5329. Public transportation safety program

(a) DEFINITION.—In this section, the term “recipient” means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under this chapter.

(b) NATIONAL PUBLIC TRANSPORTATION SAFETY PLAN.—

(1) IN GENERAL.—The Secretary shall create and implement a national public transportation safety plan to improve the safety of all public transportation systems that receive funding under this chapter.

(2) CONTENTS OF PLAN.—The national public transportation safety plan under paragraph (1) shall include—

(A) safety performance criteria for all modes of public transportation, or, in the case of a recipient receiving assistance under section 5307 that is serving an urbanized area with a population of 200,000 or more, safety performance measures, including measures related to the risk reduction program under subsection (d)(1)(I), for all modes of public transportation;

(B) the definition of the term “state of good repair” established under section 5326(b);