

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

Grant Agreement, Supplemental Agreement, and Cooperative Agreement

We made the following changes in our Federal Grant Agreements, Supplemental Agreements, and Cooperative Agreements:

1. The new document numbers and dates are as follows:
  - a. Grant Agreement, FTA G-19, October 1, 2012,
  - b. Supplemental Agreement, Attachment to FTA G-19, October 1, 2012, and
  - c. Cooperative Agreement, FTA C-19, October 1, 2012.
2. The Grant Agreement and the Cooperative Agreement display the website address of the new Master Agreement, <http://www.fta.dot.gov/documents/19-Master.pdf>.

Master Agreement

Below are the important changes to the new Master Agreement. We have not identified editorial, text changes, or minor changes to headings of provisions when the essential meaning of those provisions is consistent with our previous requirements:

1. Cover Page. We made the following changes:
  - a. We added a reference to FTA's new authorizing legislation, the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, July 6, 2012,
  - b. The document number and date for the new Master Agreement is FTA MA(19), October 1, 2012, and
  - c. The FTA website for the new Master Agreement is <http://www.fta.dot.gov/documents/19-Master.pdf>.
2. Preamble. We added a reference to MAP-21, 2, and clarify that:
  - a. MAP-21 made significant changes to Federal Public Transportation programs,
  - b. Certain citations within the Master Agreement indicate whether the provision has been amended by MAP-21, because many MAP-21 requirements that differ from statutory requirements in effect in Fiscal Year 2012 or a previous fiscal year will not apply to projects that are funded or will be funded with appropriations for Fiscal Year 2012 or a previous fiscal year.

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

3. Section 1 “Definitions.” We made the following changes:
- a. New Section 1.d, “Associated Transit Improvement.” We added a definition of “associated transit improvement,” for consistency with 49 U.S.C. § 5302(1), as amended by MAP-21. MAP-21 substitutes the term “associated transit improvement” for “transit enhancement” that was used in 49 U.S.C. § 5307 before MAP-21 was signed into law,
  - b. Re-numbering. We re-numbered former Section 1.d and Section 1.e as Sections 1.e and Section 1.f, respectively,
  - c. New Section 1.g, “Designated Recipient.” We added a definition of “designated recipient” for consistency with 49 U.S.C. § 5302(4), as amended by MAP-21, because the MAP-21 definition applies throughout 49 U.S.C. chapter 53, as amended by MAP-21, unless expressly stated otherwise,
  - d. New Section 1.h, “Disability.” We added the MAP-21 definition of “disability,” 49 U.S.C. § 5302(5), as amended by MAP-21, which definition has the same meaning as section 3(1) of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12102, for purposes of 49 U.S.C. chapter 53,
  - e. Re-numbering. We re-numbered former Section 1.g as Section 1.i,
  - f. New Section 1.j [Former Section 1.f], “Federal Guidance.” Because the Master Agreement generally uses the term “Federal guidance” rather than “Federal directive,” we replaced the definition of “Federal directive” with a definition of “Federal guidance,”
  - g. Re-numbering. We re-numbered former Sections 1.h – 1.j as Sections 1.k – 1.m , respectively,
  - h. New Section 1.m. We added a definition of “fiscal year” to mean “Federal fiscal year for purposes of the Master Agreement,
  - i. New Section 1.o, “Governor.” We added a definition of “Governor” for consistency with 49 U.S.C. § 5302(8), as amended by MAP-21, which defines “Governor,”
  - i. Re-numbering. We re-numbered former Section 1.k as Section 1.o,
  - j. New Section 1.p [Former Section 1.l] “Local Government Authority.” We substituted the definition of “local government authority” for “local government” and made changes for more consistency with 49 U.S.C. § 5302(10), as amended by MAP-21,

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- k. Re-numbering. We re-numbered former Section 1.m as Section 1.q,
  - l. New Section 1.r [Former Section 1.n] “Public Transportation.” For consistency with the MAP-21 definition of “public transportation service,” 49 U.S.C. § 5302(14), we amended our former definition of “public transportation” to:
    - (1) Include “regular and continuing shared ride surface transportation services open to a segment of the general public defined by age, disability, or low income,”
    - (2) Remove the eligibility of “intercity bus transportation” as a type of “public transportation,”
    - (3) Exclude courtesy shuttle service for patrons of one or more specific establishments, and
    - (4) Exclude intra-terminal or intra-facility shuttle services, and
  - m. Re-numbering. We re-numbered former Sections 1.o – 1.w as Sections 1.s - 1.aa, respectively.
4. Section 3 “Ethics.” We made the following changes:
- a. Former Section 3.a(1)(b) “Organizational Conflicts of Interest.” We transferred the “Organizational Conflicts of Interest” provision from former Section 3, “Ethics,” specifically Section 3.a(1)(b) to the re-numbered Section 17, “Procurement,” specifically, Section 17.f, for greater consistency with 49 C.F.R. § 18.36(b) and 49 C.F.R. § 19.42,
  - b. Re-numbering. We re-numbered former Section 3.a(1)(c), “Gifts,” as Section 3.a(2), “Gift Acceptance Restrictions,”
  - c. Sections 3.b(2) and 3.b(3)(b). We added information in the “Debarment and Suspension” section about the new website for the Excluded Parties Listing System (EPLS) expected to be in effect in the near future, and
  - d. Section 3.e(2)(c). MAP-21 extended the exemption from Hatch Act restrictions, 5 U.S.C. chapter 15, with certain exceptions, to nonsupervisory employees of any public transportation system or other entity that receives Federal assistance authorized by 49 U.S.C. chapter 53, as amended by MAP-21.
5. New Section 5.a. We added a provision to state that local share requirements vary by statutory and regulatory program requirements for which Federal funding is provided.

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

6. New Section 5.b(3) “Local Share.” We added a provision restricting the use of revenue bond proceeds as local share.
7. New Section 7 [Former Section 9] “Payments to the Recipient.” In general, we transferred the “Payments” provisions from former Section 9 to the new Section 7:
  - a. Re-numbered Section 7.b(8)(b)4 [Former Section 9.c(8)(d)]. We changed the text pertaining to Federal cost principles applicable to for-profit organizations, for greater consistency with U.S. DOT’s Common Grant Rules, 49 C.F.R. § 18.22(b) and 49 C.F.R. § 19.27(b),
  - b. New Section 7.f and g. The Office of the Secretary of Transportation has directed FTA to revise its payment systems for Recipients of grants and cooperative agreements as follows:
    - (1) FTA may continue to use the current ECHO-Web system for making payments under FTA grants, but
    - (2) If FTA believes that a specific Grantee should not be using the ECHO-Web system, FTA may use the Delphi e-Invoicing System to make payments to that Grantee, and
    - (3) FTA must use the Delphi eInvoicing System to make payments for all “reimbursement” type projects, including cooperative agreements, and
  - c. Section 7.j(2) [Former Section 5.a]. We transferred the requirement to pay project costs involving local share in former Section 5, “Local Share” to Section 7.j pertaining to the Recipient’s duty to pay project costs.
8. New Section 8 [Former Sections 7 and 8] “Project Records and Reports.” We consolidated Project Records and Report provisions:
  - a. New Section 8.a. We established a new subsection to encompass both the financial record-keeping provisions (including accounting records) of former Section 7, and other project records,
  - b. New Section 8.a(4). We clarified that e-mails as well as records in other formats are included in the types of records FTA may require the Recipient to retain,
  - c. New Section 8.b(1)(b). We added a provision that the Recipient must submit reports that FTA or other Federal guidance may specify, except as FTA determines otherwise, and

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- d. New Section 8.b(1)(c) [Former Section 8.a. and c]. We added a requirement that the Recipient must submit to FTA reports in the number and format FTA requests.
9. New Section 9 [Former Section 8.d] “Record Retention.” We transferred the Records Retention provisions in former Section 8.d to the new Section 9.
10. New Section 10 [Former Section 8.e] “Access to Records and Sites of Project Performance.” We transferred the “Access to Records” provisions in former Section 8.e to the new Section 10.
11. Re-numbering. We re-numbered former Sections 10 – 13 as Sections 11 – 14.
12. Re-numbered Section 13 [Former Section 12] “Civil Rights.” We made the following changes:
  - a. Re-numbered Section 13.a [Former Section 12.] “Nondiscrimination in Federal Public Transit Programs.” We made the following changes:
    - (1) Re-numbered Section 13.a(1)(c) [Former Section 12.a(1)(c)]. We substituted “religion” for “creed,” for consistency with MAP-21,
    - (2) New Section 13.a(1)(f). We added “disability” to the list of prohibitions against discrimination, for consistency with MAP-21, and
    - (3) Re-numbering. We re-numbered former Section 12.a(1)(f) as Section 13.a(1)(g),
  - b. Re-numbered Section 13.b [Former Section 12.b] “Title VI of the Civil Rights Act.” We made the following changes:
    - (1) Re-numbered Section 13.b(3)(a) [Former Section 12.b(2)]. FTA Circular 4702.1B, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients,” effective October 1, 2010, and
    - (2) New Section 13.b(3)(b). We added a reference to U.S. DOJ, “Guidelines for the enforcement of Title VI, Civil Rights Act of 1964,” 28 C.F.R. § 50.3,
  - c. Re-numbered Section 13.d(1) [Former Section 12.d(1)] “Disadvantaged Business Enterprise.” We replaced the former citation to FTA’s DBE requirements with the new citation “Section 1101(b) of MAP-21, 23 U.S.C. § 101 note,”
  - d. Renumbered Section 13.g [Former Section 12.g] “Nondiscrimination on the Basis of Disability.” We made the following changes:

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- (1) Re-numbered Section 13.g [Former Section 12.g(1)(a)]. We removed the reference to former 49 U.S.C. § 5301(d) because MAP-21 amended 49 U.S.C. § 5301 without replacing the former policy statement expressly supporting transportation for seniors and individuals with disabilities,
  - (2) New Section 13.g(1)(d). MAP-21 added “disability” to the list of prohibitions against discrimination within 49 U.S.C. § 5332,
  - (3) Re-numbering. We re-numbered former Sections 12.g(1)(a) – (e) as Sections 13.g(a) – (d), and
  - (4) New Section 13.g(2)(c). We added a reference to U.S. Department of Transportation (U.S. DOT) regulations, “Transportation for Individuals with Disabilities: Passenger Vessels,” 49 C.F.R. part 39, that will affect ferry boat operators and operations, and
- e. Re-numbered Section 13.j [Former Section 12.j] “Environmental Justice.” We revised re-numbered Section 13.j as follows:
- (1) Re-numbered Section 13.j(2). We corrected the number of the U.S. DOT Environmental Justice order to read “DOT Order 5610.2,” and
  - (2) Re-numbered Section 13.j(3) [Former Section 12.j(3)]. We added a reference to the new FTA Circular 4703.1, “Environmental Justice Policy Guidance for Federal Transit Administration Recipients,” August 15, 2012.
13. Re-numbered Section 14 [Former Section 13] “Planning and Private Enterprise.” We made the following changes:
- a. New Section 14.a(2). We added a reference to the new public-private partnership provisions of 49 U.S.C. § 5315, as amended by MAP-21, and
  - b. Renumbered Section 14.a(3)(a). We added a reference to the new performance-based planning and other planning changes of 49 U.S.C. §§ 5303 and 5304, as amended by MAP-21.
14. New Section 15 “Early Systems Work Agreement.” We added a new section with “default” provisions for an Early Systems Work Agreement (ESWA) to supplement any specific ESWA provisions that do not provide important protections for the Federal Government needed if the Recipient should fail to complete the project for which the ESWA supports.
15. Re-numbering. We renumbered former Sections 14 – 19 as Sections 16 – 21.

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

16. Re-numbered Section 17 [Former Section 15] “Procurement.” We made the following changes:
- a. New Section 17.f [Former Sections 3.a(1) and 3.a(1)(b)]. We transferred the “Organizational Conflicts of Interest” provisions, former Sections 3.a(1) and 3.a(1)(b), to the “Procurement section,” re-numbered Section 17.f, for greater consistency with 49 C.F.R. § 18.36(b) and 49 C.F.R. § 19.42,
  - b. Re-numbering. We re-numbered former Sections 15.f – 15.u as Sections 17.g – 17.v, consecutively,
  - c. Re-numbered Section 17.n(1) [Former Section 15.m(1)]. MAP-21 codified the requirement that Intelligent Transportation Systems projects must conform to the National Architecture unless the Secretary grants a waiver,
  - d. Re-numbered Section 17.o(2) [Former Section 15.n(2)]. MAP-21 extended the option period for rail rolling stock procurements from five years to seven years, but restricted the options to those that do not make significant changes or alterations to the rolling stock acquired through the underlying contract. The option period for buses remains five years,
  - e. Re-numbered Section 17.o(4) [Former Section 15.n(4)]. We added language to the bus testing requirements indicating that FTA’s Bus Testing regulations are not consistent with MAP-21,
  - e. Re-numbered Section 17.t(2)(c) [Former Section 15.s(2)(c)]. MAP-21 removed the former requirement to review Contractor Performance Assessment Reports when considering a third party contractor’s past performance for purposes of contract award, and
  - f. New Section 17.w. MAP-21 provided a hiring preference for veterans in connection with construction projects financed under 49 U.S.C. chapter 53.
17. Re-numbered Section 20.d [Former Section 18.d]. We revised the “Federal Rights in Data and Copyrights” subsection of the Master Agreement for more consistency with the Common Grant Rules’ provisions at 49 C.F.R. § 18.34 and 49 C.F.R. § 19.36(a).
18. Re-numbered Section 21 [Former Section 19] “Use of Real Property, Equipment and Supplies.” We made the following changes:
- a. Re-numbered Sections 21.b(1) and 21.b(2) [Former Section 19.b(1)]. We separated State property management provisions from local government and Indian tribal government property management provisions,

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- b. New Section 21.b(1)(a)1. Although a Recipient that is a State may use, manage, and dispose of its federally funded property, we require the State to agree that if the State prematurely withdraws any federally funded property from service or disposes of that property prematurely, the Federal Government maintains a Federal interest in that property,
  - c. New Section 21.c(2). We added a reference to the new Transit Asset Management Plan required by 49 U.S.C. § 5326, as amended by MAP-21,
  - d. New Section 21.e. We added the new MAP-21 requirement that Recipients of federally funded facilities must give reasonable access to private intercity or charter transportation operators, and
  - e. Re-numbered Sections 21.h, i, j, k, and l. In each of these sections, we added a parenthetical that asserts the Federal interest in the remaining value of equipment prematurely withdrawn from Federal use.
19. New Section 22, “Transit Asset Management.” MAP-21 amended 49 U.S.C. § 5326 to establish a new Transit Asset Management Plan with new requirements for Recipients, although those requirements probably will not have a major impact on Recipients in Fiscal Year 2013.
20. We re-numbered former Sections 20 – 33 as Sections 23 – 36, and former Sections 35-38 as Sections 38-42 respectively.
21. New Section 24a(2)(a) [Former Section 21.a] “Relocation.” We added a reference to the express requirement of 49 U.S.C. § 5323(b), as amended by MAP-21, that relocation activities under FTA capital projects comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601 *et seq.*
22. New Section 25(a)(2)(a) [Former Section 22] “Real Property.” We added a reference to the express requirement of 49 U.S.C. § 5323(b), as amended by MAP-21, that real property acquisition activities under FTA capital projects comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601 *et seq.*
23. New Section 29.e [Former Section 25] “Corridor Preservation.” We added a provision prohibiting the Recipient from developing right-of-way acquired with Federal funding until the required environmental reviews have been completed, as provided by 49 U.S.C. § 5323(q), as amended by MAP-21.
24. Re-Numbered Section 32. [Former Section 28] “Charter Service.” We added a new “Exceptions” subsection to cover exceptions from FTA’s Charter Service regulations

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

for Applicants awarded FTA funding for Job Access and Reverse Commute (JARC) activities and New Freedom Activities, now financed under 49 U.S.C. 5307 and 5310, as amended by MAP-21, respectively. FTA’s Charter Service regulations provide exceptions for these activities when they were authorized by repealed 49 U.S.C. 5316 and 5317. We also added an exception for use by intercity or charter operators of an Applicant’s FTA funded **public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes.**

25. New Section 37 “Public Transportation Safety Program.” MAP-21 amended 49 U.S.C. § 5329, with which FTA recipients must comply when implemented. This new Section 37 will replace former Section 34 “State Safety Oversight of Rail Fixed Guideway Public Systems,” when fully implemented.
26. Re-numbered Section 39.a. [Former Section 19.j] “Transportation—Hazardous Materials.” We transferred the provision on Transportation—Hazardous Materials from former Section 19.j to Section 39 because Section 39 addresses the Safe Operation of Motor Vehicles.
27. Re-numbered Section 40 [Former Section 32] “Substance Abuse.” The “Substance Abuse” section has been transferred to Section 40.
28. New Subsection 40.b(2) “Remedies for Non-Compliance.” MAP-21 amended 49 U.S.C. § 5331, which established alcohol misuse and drug abuse requirements, by adding a new subsection (g) providing that if FTA determines that a Recipient of funds, or a Third Party Participant receiving funds under 49 U.S.C. chapter 53 is not in compliance with 49 C.F.R. part 665, the Secretary may bar that Recipient or Third Party Participant from receiving FTA funding in an amount the FTA considers appropriate.
29. New Section 44 “Special Provisions for the Metropolitan Planning Grants Program.” We added a new Section on the Metropolitan Planning Grants Program that references the MAP-21 requirements and, among other things, provides that:
  - a. The new MAP-21 requirements apply to those Metropolitan Planning Grants funded under 49 U.S.C. § 5305(d), as amended by MAP-21, irrespective of whether those grants were supported with MAP-21 funding or funding for Fiscal Year 2012 or a previous fiscal year,
  - b. The Recipient must comply with the joint FHWA and FTA regulations, 23 C.F.R. part 450 and 49 C.F.R. part 613, as required to the extent that these regulations are consistent with MAP-21, and
  - c. In general, the Recipient is expected to follow the latest edition of FTA Circular 8100.1 “Program Guidance for Metropolitan Planning and State Planning and

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

Research Program Grants” and other guidance to the extent that such guidance is consistent with MAP-21.

30. New Section 45 “Special Provisions for the State Planning and Research Grants Program.” We added a new Section on the State Planning and Research Grants Program that references the MAP-21 requirements and, among other things, provides that:
- a. The new MAP-21 requirements apply to those State Planning and Research Grants funded under 49 U.S.C. § 5305(e), as amended by MAP-21, irrespective of whether those grants were supported with MAP-21 funding or funding for Fiscal Year 2012 or a previous fiscal year,
  - b. The Recipient must comply with joint FHWA and FTA regulations, 23 C.F.R. part 450 and 49 C.F.R. part 613, to the extent that these regulations are consistent with MAP-21, and
  - c. The Recipient is expected to follow the latest edition of FTA Circular 8100.1 “Program Guidance for Metropolitan Planning and State Planning and Research Program Grants” and other Federal guidance to the extent that that guidance is consistent with MAP-21.
31. New Section 46 “Special Provisions for the Pilot Program for Transit-Oriented Development Planning.” We added new provisions applying to projects or project activities funded under the Pilot Program for Transit-Oriented Development Planning authorized by Section 20005(b) of MAP-21.
32. New Section 47 “Special Provisions for the Alternatives Analysis Program. [Repealed]” We added new provisions describing:
- a. The implications of the MAP-21 amendment to 49 U.S.C. § 5339 that did not reauthorize the Alternatives Analysis Program, and
  - b. The requirements, including MAP-21 cross-cutting requirements, that apply to Alternatives Analysis projects and activities supported with funding made available or appropriated for former 49 U.S.C. § 5339, which authorized the Alternatives Analysis Program, which funding has been awarded or remains eligible for award.
33. New Section 48 “Special Provisions for the Urbanized Area Formula Grants Program Authorized by MAP-21.” We added a new section on the Urbanized Area Formula Grants Program, supported with funds made available or appropriated for 49 U.S.C. § 5307, as amended by MAP-21, that includes the following (*Section 49 of the Master Agreement addresses the requirements for the Urbanized Area Formula Grants*

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

*Program funded with Fiscal Year 2012 or previous Fiscal Years' funding):*

- a. MAP-21 amendments to the Urbanized Area Formula Grants Program authorized by 49 U.S.C. § 5307,
- b. Applicability of MAP-21 Requirements,
- c. Requirements the Recipient agrees to comply with and guidance the Recipient agrees to follow, and
- d. Other special requirements for Urbanized Area Formula Projects, including :
  - (1) For purposes of FTA's half-fare requirements, we described individuals believed to be unable to use public transportation consistent with MAP-21 and former FTA past practice,
  - (2) MAP-21 replaces the term "transit enhancement" defined in former 49 U.S.C. § 5302(a)(15) with the term "associated transit improvement" defined in 49 U.S.C. § 5302(1), as amended by MAP-21. Notably, MAP-21 did not re-authorize certain transit enhancements that had been eligible for funding under 49 U.S.C. § 5307 in effect in Fiscal Year 2012 or a previous fiscal year. For example, eligible associated transit improvements authorized by MAP-21:
    - (a) Now include streetscaping, but
    - (b) Do not include:
      - (i) "Other scenic beautification" apart from landscaping and streetscaping,
      - (ii) Tables,
      - (iii) Public Art, or
      - (iv) Transit connections to public parks within the recipient's transit service area,
  - (3) We added new text indicating that 49 U.S.C. § 5335(g), as amended by MAP-21, has imposed a new requirement to report the condition of the Recipient's federally assisted assets for the National Transit Database, and
  - (4) We added provisions pertaining to the use of funding under 49 U.S.C. § 5307, as amended by MAP-21, for the new Public Transportation

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

Emergency Relief Program.

34. Re-numbered Section 49 [Former Section 39] “Special Provisions for the Urbanized Area Formula Grants Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We revised this section and added the following new provisions to address:
- a. How MAP-21 amended the Urbanized Area Formula Grants Program,
  - b. Which requirements and guidance apply to Urbanized Area Formula Program projects funded with Fiscal Year 2012 or previous fiscal year funding notwithstanding or in light of MAP-21, and
  - c. Other special requirements for Urbanized Area Formula Program projects in effect in Fiscal Year 2012 or a previous Fiscal Year.
35. Re-numbered Section 50 [Former Section 48] “Special Provisions for the Job Access and Reverse Commute (JARC) Formula Grants Program.” We added new provisions describing:
- a. The implications of the MAP-21 repeal of 49 U.S.C. § 5316, which had authorized the JARC program,
  - b. The eligibility of JARC activities for funding under 49 U.S.C. § 5307, as amended by MAP-21, which authorized the amended Urbanized Area Formula Grants Program, and
  - c. The provisions that apply to JARC projects and activities funded with appropriations under Fiscal Year 2012 or previous fiscal years that have been awarded or remain eligible for award.
36. New Section 51 “Special Provisions for the Fixed Guideway Capital Investment Grants Program.” We added a new section to the Master Agreement describing the Fixed Guideway Capital Investment Grants Program authorized by 49 U.S.C. § 5309, as amended, that:
- a. Describes MAP-21 amendments that limit funding under this Program to:
    - (1) New Fixed Guideway Projects (New Starts),
    - (2) Small Starts Projects, and
    - (3) Core Capacity Improvement Projects, and
  - b. Describes the requirements that apply to projects funded under this Program and

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

that the Recipient must agree to comply with or follow.

37. New Section 52 “Special Provisions for the State of Good Repair Grants Program.”

We have added a new section to the Master Agreement that:

- a. Addresses the MAP-21 amendment to 49 U.S.C. § 5337 that established the “State of Good Repair Grants Program,” (having some similarities to the repealed Fixed Guideway Modernization Program) under former 49 U.S.C. § 5309 in effect in Fiscal Year 2012 or a previous fiscal year, and
- b. Describes the requirements and guidance that apply to projects funded under this Program and with which the Recipient must agree to comply or follow.

38. New Section 53, “Special Provisions for the Fixed Guideway Modernization Grant Program.” We added a new section in the Master Agreement, which includes:

- a. A description of the implications of the MAP-21 repeal of the Fixed Guideway Modernization Grant Program, which had been authorized under former 49 U.S.C. § 5309,
- b. A description of the eligibility under the State of Good Repair Program authorized by 49 U.S.C. § 5337, as amended by MAP-21, of certain Projects and Project activities previously funded under the repealed Fixed Guideway Modernization Grant Program, former 49 U.S.C. § 5309, and
- c. The requirements and guidance that apply to the Recipient’s Project funded under the repealed Fixed Guideway Modernization Program, former 49 U.S.C. § 5309, and with which the Recipient must comply or follow.

39. New Section 54 “Special Provisions for the Bus and Bus Facilities Formula Grants Program Authorized by MAP-21.” We have added a new section to the Master Agreement that includes:

- a. A description of MAP-21’s amendment to the Bus and Bus Related Equipment and Facilities Grant Program that transferred authority for Bus and Bus Related Equipment and Facilities projects from former 49 U.S.C. § 5309 to 49 U.S.C. § 5339, as amended by MAP-21, and established as a formula grant program, and
- b. The requirements and guidance that apply to the Recipient’s Project funded under the Bus and Bus Facilities Formula Grants Program authorized by 49 U.S.C. § 5339, as amended by MAP-21, and with which the Recipient must comply or follow.

40. New Section 55 “Special Provisions for the Discretionary Bus and Bus Related

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

Facilities Grant Program In Effect in Fiscal Year 2012 or a Previous Fiscal Year.”

We have added a new section to the Master Agreement that includes:

- a. A description of the implications of the MAP-21 amendment to the discretionary Bus and Bus Related Equipment and Facilities Grant Program, which had been authorized under former 49 U.S.C. § 5309 as a discretionary program, but is now authorized as a formula program under 49 U.S.C. § 5339, as amended by MAP-21, and
- b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the Bus and Bus Related Equipment and Facilities Grant Program authorized by former 49 U.S.C. § 5309, and with which the Recipient must comply or follow.

41. New Section 56 “Special Provisions for the Formula Grants Program for the Enhanced Mobility of Seniors and Individuals with Disabilities Authorized by MAP-21.” We have added a new section to the Master Agreement that includes:

- a. A description of the MAP-21 amendment to 49 U.S.C. § 5310, which, among other things:
  - (1) Changed the “Special Needs of Elderly Individuals and Individuals with Disabilities Program” to the “Formula Grants Program for the Enhanced Mobility of Seniors and Individuals with Disabilities,”
  - (2) Authorized funding for projects and activities that had been formerly eligible for funding under the repealed New Freedom Program authorized by former 49 U.S.C. § 5317,
  - (3) Repealed the Elderly Individuals and Individuals with Disabilities Pilot Program formerly authorized under section 3012(b) of SAFETEA-LU, 49 U.S.C. § 5310 note, and
  - (4) Repealed the Over-the-Road Bus Accessibility Program formerly authorized by section 3038 of TEA-21, as amended, 49 U.S.C. § 5310 note, and
- b. The requirements and guidance that apply to the Recipient’s Project supported with funds made available or appropriated for the Formula Grants Program for the Enhanced Mobility of Seniors and Individuals with Disabilities authorized by 49 U.S.C. § 5310, as amended by MAP-21, and with which the Recipient must comply or follow.

42. Re-numbered Section 57 [Former Section 40] and renamed “Special Provisions for

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

the Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We have revised this section of the Master Agreement to include:

- a. The implications of MAP-21 amendments to 49 U.S.C. § 5310,
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program, under former 49 U.S.C. § 5310, and with which the Recipient must comply or follow, and
  - c. Other special requirements that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program, former 49 U.S.C. § 5310, and with which the Recipient must comply or follow.
43. Re-numbered Section 58 [Former Section 41] “Special Provisions for the New Freedom Program.” We added new provisions describing:
- a. The implications of the MAP-21 repeal of 49 U.S.C. § 5317, which had authorized the New Freedom Program,
  - b. The eligibility of New Freedom Program activities for funding under 49 U.S.C. § 5310, as amended by MAP-21, which authorized the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, and
  - c. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the repealed New Freedom Program, former 49 U.S.C. § 5317, and with which the Recipient must comply or follow.
44. New Section 59 “Special Provisions for the Formula Grants for Rural Areas Program Authorized by MAP-21.” We added a new section 59 to include:
- a. A description of MAP-21’s amendments to 49 U.S.C. § 5311, the Formula Grants for Rural Areas Program (formerly the Formula Grants for Other than Urbanized Areas),
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for the Formula Grants for Rural Areas Program authorized by 49 U.S.C. § 5311(b)(2), as amended by MAP-21, with which the Recipient must comply or follow, and

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- c. The special requirements that apply to Projects and Project activities supported with funds made available or appropriated for the Formula Grants for Rural Areas Program.
45. Re-numbered Section 60 [Former Section 42] “Special Provisions for the Formula Grants for Other Than Urbanized Areas Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We revised this section to include:
- a. A description of MAP-21’s amendments to 49 U.S.C. § 5311(b)(2), the Formula Grants for Rural Areas Program (formerly the Formula Grants for Other Than Urbanized Areas Program),
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the Formula Grants for Other Than Urbanized Areas Program, former 49 U.S.C. § 5311(b)(2), and with which the Recipient must comply or follow, and
  - c. Other special requirements that apply to Projects and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the Formula Grants for Other Than Urbanized Areas Program, former 49 U.S.C. § 5311(b)(2), and with which the Recipient must comply.
46. New Section 61 “Special Provisions for the Rural Transportation Assistance Program.” We added a new section in the Master Agreement to include the following:
- a. The implications of the MAP-21 amendments to 49 U.S.C. § 5311(b)(3), the Rural Transportation Assistance Program, which made only minor changes to this program,
  - b. The requirements and guidance that apply to Projects and Project activities supported with funds made available or appropriated for the Rural Transportation Assistance Program authorized by 49 U.S.C. § 5311(b)(3), as amended by MAP-21, and
  - c. The applicability of MAP-21 requirements to Projects and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or previous fiscal years for the Rural Transportation Assistance Program, former 49 U.S.C. § 5311(b)(3), with which the Recipient must comply.
47. New Section 62 “Grants for Public Transportation on Indian Reservations Program Authorized by MAP-21.” We added a new section to include the following:

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- a. A description of the MAP-21 amendment to the discretionary only “Tribal Transit” Program, which continued a smaller discretionary Program and added a new Formula Grants for Public Transportation on Indian Reservations Program, and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds by the discretionary only “Tribal Transit” Program and the formula Grants for Public Transportation on Indian Reservations Program authorized by 49 U.S.C. § 5311(c)(1) and (j), as amended by MAP-21, with which the Recipient must comply or follow.
48. New Section 63 “Special Provisions for the ‘Tribal Transit’ Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We added a new section to include the following:
- a. A description of the MAP-21 amendment to the discretionary only “Tribal Transit” Program, which repealed the discretionary program, and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or previous fiscal years for the discretionary only “Tribal Transit” Program, former 49 U.S.C. § 5311(c)(1), with which the Recipient must comply or follow.
49. New Section 64 “Special Provisions for the Appalachian Development Public Transportation Assistance Program Authorized by MAP-21.” We added a new section to include the following:
- a. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for the Appalachian Development Public Transportation Assistance Program authorized by 49 U.S.C. § 5311(c)(2), as amended by MAP-21, and
  - b. As permitted by 49 U.S.C. § 5311(c)(2)(D), as amended by MAP-21, the requirements that apply to the Recipient when transferring to a highway project funding made available or appropriated for 49 U.S.C. § 5311(c)(2), which authorized the Appalachian Development Public Transportation Assistance Program.
50. Re-numbered Section 65 [Former Section 50] “Special Provisions for the Over-the-Road Bus Accessibility Program.” We revised this Section on the Over-the-Road Bus Accessibility Program to include the following provisions:
- a. The implications of the MAP-21 repeal of section 3038 of TEA-21, as amended

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- by section 3039 of SAFETEA-LU, which had authorized the Over-the-Road Bus Accessibility Program, and
- b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or previous fiscal years for the Over-the-Road Bus Program that the Recipient must comply or follow.
51. Re-numbered Section 66 [Former Section 49] "Special Provisions for the Paul S. Sarbanes Transit in Parks Program." We revised this section on the Paul S. Sarbanes Transit in Parks Program to include the following provisions:
- a. The implications of the MAP-21 repeal of former 49 U.S.C. § 5320, which had authorized the Paul S. Sarbanes Transit in Parks Program, and
  - b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or a previous fiscal year for the Paul S. Sarbanes Transit in Parks Program authorized by former 49 U.S.C. § 5320, with which the Recipient must comply or follow.
52. New Section 67 "Special Provisions for 'Research-Type' Programs." We added a new separate section that applies to research projects and project activities. This section includes the provisions that were in former Section 44.b through 44.f of the Fiscal Year 2012 Master Agreement.
53. New Section 68 "Special Provisions for Research, Development, Demonstration, and Deployment Program Authorized by MAP-21." MAP-21 significantly amended former 49 U.S.C. § 5312 and divided the former Research, Development, Demonstration, and Deployment Program into five separate programs. Section 68 of the Master Agreement now includes the provisions that apply to the new Research, Development, Demonstration, and Deployment Program authorized by 49 U.S.C. § 5312(a), as amended by MAP-21.
54. Re-numbered Section 69 [Former Section 44] "Special Provisions for the Research, Development, Demonstration, and Deployment Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year." We revised this section to include the following provisions:
- a. A description of the MAP-21 amendments to the Research, Development, Demonstration, and Deployment Program authorized by 49 U.S.C. § 5312, and
  - b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated with Fiscal Year

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

2012 or previous fiscal year funds for the Research, Development, Demonstration, and Deployment Program authorized by former 49 U.S.C. § 5312, with which the Recipient must comply or follow.

55. New Section 70 “Special Provisions for the Research Program Within the Research, Development, Demonstration, and Deployment Program Authorized by MAP-21.” We added a new section to the Master Agreement on the new Research Program authorized by 49 U.S.C. § 5312(b), as amended by MAP-21, to include the following:
- a. A description of the MAP-21 amendments to 49 U.S.C. § 5312(b), and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for the Research Program authorized by 49 U.S.C. § 5312(b), as amended by MAP-21, with which the Recipient must comply or follow.
56. New Section 71 “Special Provisions for the Research Provisions of the Research, Development, Demonstration, and Deployment Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We added a new section to the Master Agreement to include the following:
- a. A description of the MAP-21 amendments to former 49 U.S.C. § 5312, and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated with Fiscal Year 2012 or previous fiscal year funds for Research projects, former 49 U.S.C. § 5312, with which the Recipient must comply or follow.
57. New Section 72 “Special Provisions for the Innovation and Development Program Within the Research, Development, Demonstration, and Deployment Program Authorized by MAP-21. We added a new section to the Master Agreement to include the following:
- a. A description of the MAP-21 amendments to the Innovation and Development Program authorized by 49 U.S.C. § 5312(c), and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for the Innovation and Development Program authorized by 49 U.S.C. § 5311(c), as amended by MAP-21, with which the Recipient must comply or follow.
58. New Section 73 “Special Provisions for the Innovation and Development Provisions of the Research, Development, Demonstration, and Deployment Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We added a new section to the Master

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

Agreement to include the following:

- a. A description of the MAP-21 amendments to the Innovation and Development Program under 49 U.S.C. § 5312, and
- b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for Innovation and Development projects for Fiscal Year 2012 or a previous fiscal year, former 49 U.S.C. § 5312, with which the Recipient must comply or follow.

59. New Section 74 "Special Provisions for the Demonstration, Deployment and Education Program Within the Research, Development, Demonstration, and Deployment Program Authorized by MAP-21." We added a new section to the Master Agreement to include the following:

- a. A description of the MAP-21 amendments to the Research, Development, Demonstration, and Deployment Program, which added a Demonstration, Deployment and Education Program authorized by 49 U.S.C. § 5312(d)(1)-(4), as amended by MAP-21, and
- b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for the Demonstration, Deployment and Education Program authorized by 49 U.S.C. § 5312(d)(1)-(4), as amended by MAP-21, with which the Recipient must comply or follow.

60. New Section 75 "Special Provisions for the Joint Partnership Program for Deployment of Innovation." We added a new section to the Master Agreement to include the following:

- a. A description of the MAP-21 amendments to 49 U.S.C. § 5312, which did not re-authorize the Joint Partnership Program for Deployment of Innovation, former 49 U.S.C. § 5312(b), and
- b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for the Joint Partnership Program for Deployment of Innovation, former 49 U.S.C. § 5312(b), with which the Recipient must comply or follow.

61. New Section 76 "Special Provisions for the Low or No Emission Vehicle Deployment Program." We added a new section to the Master Agreement to include the following:

- a. The establishment of the new Low or No Emission Vehicle Deployment Program

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- authorized by 49 U.S.C. § 5312(d)(5), as amended by MAP-21, which transferred some of the eligible activities under the repealed Clean Fuels Grant Program, former 49 U.S.C. § 5308, and
- b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated for the Low or No Emission Vehicle Deployment Program authorized by 49 U.S.C. § 5312(d)(5), as amended by MAP-21, with which the Recipient must comply or follow.
62. Re-numbered Section 77 [Former Section 43] “Special Provisions for the Clean Fuels Grant Program.” We revised this section to include the following:
- a. The implications of the MAP-21 repeal of 49 U.S.C. § 5308, which had authorized the Clean Fuels Grant Program,
  - b. The eligibility of certain Clean Fuels Grant Program activities for funding under 49 U.S.C. § 5312(d)(5), as amended by MAP-21, which authorized the new Low or No Emission Vehicle Development Program, and
  - c. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated in Fiscal Year 2012 or a previous fiscal year for the repealed Clean Fuels Grant Program, former 49 U.S.C. § 5308, with which the Recipient must comply or follow.
63. New Section 78 “Special Provisions for the International Program.” We added a new section to the Master Agreement to include the following:
- a. A description of the MAP-21 amendments to 49 U.S.C. § 5312, which did not re-authorize the International Program, former 49 U.S.C. § 5312(c), and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated in Fiscal Year 2012 or a previous fiscal year for the International Program, former 49 U.S.C. § 5312(c), with which the Recipient must comply or follow.
64. New Section 79 “Special Provisions for the National Fuel Cell Bus Technology Development Program Authorized by Section 3045 of SAFETEA-LU.” We added a new section to the Master Agreement to include the following:
- a. The implications of the MAP-21 repeal of section 3045 of SAFETEA-LU, which authorized the National Fuel Cell Bus Technology Development Program, and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated in Fiscal Year

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

2012 or a previous fiscal year for the National Fuel Cell Bus Technology Development Program, repealed section 3045 of SAFETEA-LU, former 49 U.S.C. § 5308 note, with which the Recipient must comply or follow.

65. New Section 80, “Special Provisions for Allocations for National Research and Technology Projects Authorized by Section 3046 of SAFETEA-LU.” We added a new section to the Master Agreement to include the following:
- a. The implications of the MAP-21 repeal of the Section 3046 of SAFETEA-LU Allocations for the National Research and Technology Program, former 49 U.S.C. § 5338 note, and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated in Fiscal Year 2012 or a previous fiscal year for the National Research and Technology Program, repealed Section 3046 of SAFETEA-LU, former 49 U.S.C. § 5338 note, with which the Recipient must comply or follow.
66. New Section 81 “Special Provisions for the Transit Cooperative Research Program.” We added this section to clarify that MAP-21 requirements apply to the Transit Cooperative Research Program authorized by 49 U.S.C. § 5313, because MAP-21 did not change the terms of that program.
67. New Section 82 “Special Provisions for the Technical Assistance and Standards Development Program.” We added a new section on the new Technical Assistance and Standards Development Program authorized by 49 U.S.C. § 5314(a), as amended by MAP-21, which authorizes the development of voluntary consensus standards in the public transportation industry.
68. New Section 83 “Special Provisions for the Technical Assistance Program [To Support Public Transportation Availability for Seniors and Individuals with Disabilities].” We added a new section on the new Technical Assistance Program established by 49 U.S.C. § 5314(b), as amended by MAP-21, that requires the use of competitive procedures to support activities similar to those of the Program to Facilitate Compliance with the Americans with Disabilities Act of 1990.
69. New Section 84 “Special Provisions for the Program to Facilitate Compliance with the Americans with Disabilities Act of 1990 [Project ACTION] in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We added a new Section in the Master Agreement to include the following:
- a. A description of the MAP-21 amendments, which did not reauthorize “Project ACTION,” former 49 U.S.C. § 5312(a)(2), but

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- b. The eligibility of activities supported through “Project ACTION,” former 49 U.S.C. § 5312(a)(2), for funding under the Technical Assistance Program supporting public transportation under 49 U.S.C. § 5314(b), as amended by MAP-21, and
  - c. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated in Fiscal Year 2012 or in a previous fiscal year for “Project ACTION,” that had been authorized by former 49 U.S.C. § 5312(a)(2), with which the Recipient must comply or follow.
70. Deleted Former Section 45 “Special Provisions for the Medical Transportation Demonstration Program.” We deleted former Section 45 because MAP-21 did not reauthorize the Medical Transportation Demonstration Program, former 49 U.S.C. § 5314(b).
71. Re-numbered Section 85 [Former Section 46] “Special Provisions for the National Technical Assistance Center for Senior Transportation Program.” We revised this section to include the following:
- a. A description of the MAP-21 amendments, which did not reauthorize the National Technical Assistance Center for Senior Transportation Program, former 49 U.S.C. § 5314(c), and
  - b. The requirements and guidance that apply to the Recipient’s Project and Project activities supported with funds made available or appropriated in Fiscal Year 2012 or a previous fiscal year for the National Technical Assistance Center for Senior Transportation Program, former 49 U.S.C. § 5314(c), with which the Recipient must comply or follow.
72. New Section 86 “Special Provisions for the Human Resources and Training Program Authorized by MAP-21 and for the Human Resources Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.” We added this section to clarify that MAP-21 requirements apply to the Human Resources and Training Program authorized by 49 U.S.C. § 5322(a), authorized by MAP-21 *and* to the Human Resources Program in effect in Fiscal Year 2012 or a previous fiscal year, because MAP-21 did not change the terms of that program.
73. New Section 87 “Special Provisions for the Innovative Public Transportation Workforce Development Program.” We added a new section to include the following:
- a. A description of the MAP-21 amendment to 49 U.S.C. § 5322(b), which established a new Innovative Public Transportation Workforce Development

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

Program emphasizing workforce training, and

- b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for the Innovative Public Transportation Workforce Development Program authorized by 49 U.S.C. § 5322(b), as amended by MAP-21, with which the Recipient must comply or follow.

74. Re-numbered Section 88 [Former Section 47] "Special Provisions for the Human Resources Fellowship Program." We revised this section to include the following:

- a. The implications of the MAP-21 amendment to 49 U.S.C. § 5322(b), which did not reauthorize the Human Resources Fellowship Program, former 49 U.S.C. § 5322(b), and
- b. The requirements and guidance that apply to the Recipient's Project and Project activities supported with funds made available or appropriated for Fiscal Year 2012 or previous fiscal years for the Human Resources Fellowship Program, former 49 U.S.C. § 5322(b), with which the Recipient must comply or follow.

75. New Section 89 "Special Provisions for the Public Transportation Emergency Relief Program." We added this section on the Public Transportation Emergency Relief Program authorized by 49 U.S.C. § 5324(b), as amended by MAP-21, that will expedite public transportation relief in emergencies.

76. New Section 90 "Special Provisions for the State Safety Oversight Grants Program." We added this section on the new State Safety Oversight Grants Program authorized by 49 U.S.C. § 5329(e)(6), as amended by MAP-21, to assist States in meeting their rail fixed guideway safety oversight responsibilities.

77. Re-numbered Section 91 [Former Section 51] "Special Provisions for State Infrastructure Bank Projects." We revised this section on "Special Provisions for State Infrastructure Bank Projects" as follows:

- a. We re-numbered former Section 51 as Section 91, and
- b. We added text to Section 91.a(2) to accommodate the MAP-21 amendment to 49 U.S.C. § 5323(o), requiring State Infrastructure Bank (SIB) projects supported with SIB loans to comply with 49 U.S.C. § 5337, as amended by MAP-21, as well as with 49 U.S.C. § 5307 and 49 U.S.C. § 5309.

78. Re-numbered Section 92 [Former Section 52] "Special Provisions for TIFIA Projects." We revised this section on "Special Provisions for TIFIA Projects" as follows:

FTA FISCAL YEAR 2013 AGREEMENTS  
COMPARED WITH  
FTA FISCAL YEAR 2012 AGREEMENTS

- a. We re-numbered former Section 52 as Section 92,
  - b. We added text to Section 92.a(2) to accommodate the MAP-21 amendment to 49 U.S.C. § 5323(o), requiring TIFIA projects to comply with 49 U.S.C. § 5337, as amended by MAP-21, as well as with 49 U.S.C. § 5307 and 49 U.S.C. § 5309,
  - c. We added Section 92a(4), which references the requirements under § 350 of the National Highway System Designation Act of 1995, as amended,
  - d. We re-numbered Section 92.a(3) as Section 92.a(5) and we also replaced “SAFETEA-LU” with “MAP-21,” and
  - e. We re-numbered Section 92.a(4) as Section 92.a(6).
79. Re-numbered Section 93 [Former Section 53] “Special Provisions for Recovery Act Projects.” We revised this section on “Special Provisions for Recovery Act Projects” as follows:
- a. We re-numbered former Subsections 93.a through Subsections 93.l as Subsections 93.b through Subsections 93.m, respectively,
  - b. We added text to Section 93.b(1)-(6) (former Section 93.a(1)-(6)) to clarify that Recovery Act projects specified as having been funded by an FTA program refer to an FTA program that was authorized by SAFETEA-LU, but prior to MAP-21,
  - c. We revised Section 93.f(1)(d) (former Section 93.e(1)(d)) to reflect a change from the use of the Central Contractor Registration (CCR) to the System for Award Management, the successor to the CCR,
  - d. We deleted former Section 93.m, which references future Federal requirements and directives, in order to eliminate redundancies, and
  - e. We added a new Section 74.n cautioning Recipients of Recovery Act funds that, absent a waiver from the U.S. Office of Management and Budget, they must spend their Recovery Act funds no later than the end of Federal Fiscal Year 2013.
80. Re-numbered Section 94 [Former Section 54] “Special Provisions for Joint FTA-FRA Projects.” We revised Section 94.b(1) to include Subsection 94.b(1)(a), which references Section 1101(b) of MAP-21, 23 U.S.C. § 101 note, the provision on disadvantaged business enterprises.
81. Re-numbering. We re-numbered former Sections 54 – 60 as Sections 94-100, respectively.