

**AMENDMENT**

**OFFERED BY MRS. NAPOLITANO OF CALIFORNIA**

At the end of subtitle J of title II of division B of the bill, add the following:

1 **SEC. 29 \_\_\_\_ . DISPOSITION OF ROLLING STOCK TO IMPROVE**  
2 **AIR QUALITY GOALS.**

3 Section 5334 of title 49, United States Code, is  
4 amended by adding at the end the following:

5 “(m) DISPOSITION OF ROLLING STOCK TO MEET AIR  
6 QUALITY GOALS.—

7 “(1) IN GENERAL.—If a recipient, or sub-  
8 recipient, for assistance under this chapter disposes  
9 of rolling stock with a current market value, or pro-  
10 ceeds from the disposition of such rolling stock, ac-  
11 quired under this chapter at least in part with such  
12 assistance, before such rolling stock has reached its  
13 useful life, the Secretary may allow the recipient, or  
14 subrecipient, to use the proceeds attributable to the  
15 Federal share of such rolling stock calculated under  
16 paragraph (3) for capital projects under section  
17 5307, 5310, or 5311 without need for repayment of  
18 the Federal financial interest.

1           “(2) COVERED ROLLING STOCK.—This sub-  
2           section shall only apply to rolling stock disposed  
3           of—

4                   “(A) which are replaced by rolling stock  
5                   that will help improve attainment of air quality  
6                   goals compared to the rolling stock being re-  
7                   placed;

8                   “(B) for which the recipient is located in  
9                   an area that is designated as a nonattainment  
10                  area for particulate matter under section  
11                  107(d) of the Clean Air Act (42 U.S.C.  
12                  7407(d)).

13           “(3) CALCULATION OF FEDERAL SHARE AT-  
14           TRIBUTABLE.—The proceeds attributable to the  
15           Federal share of rolling stock described in para-  
16           graph (1) shall be calculated by multiplying—

17                   “(A) the current market value of, or the  
18                   proceeds from the disposition of, such asset;  
19                   and

20                   “(B) the Federal share percentage for the  
21                   acquisition of such asset at the time of acqui-  
22                   sition of such asset.”.

