

1 day period to come into compliance with part 604, and  
2 then was subsequently granted an exception from said  
3 part.

4       SEC. 164. For purposes of applying the project jus-  
5 tification and local financial commitment criteria of 49  
6 U.S.C. 5309(d) to a New Starts project, the Secretary  
7 may consider the costs and ridership of any connected  
8 project in an instance in which private parties are making  
9 significant financial contributions to the construction of  
10 the connected project; additionally, the Secretary may con-  
11 sider the significant financial contributions of private par-  
12 ties to the connected project in calculating the non-Federal  
13 share of net capital project costs for the New Starts  
14 project.

15       SEC. 165. Notwithstanding any other provision of  
16 law, none of the funds made available in this Act shall  
17 be used to enter into a full funding grant agreement for  
18 a project with a New Starts share greater than 60 percent.

19       SEC. 166. None of the funds in this or any other Act  
20 may be available to advance in any way a new light or  
21 heavy rail project towards a full funding grant agreement  
22 as defined by 49 U.S.C. 5309 for the Metropolitan Transit  
23 Authority of Harris County, Texas if the proposed capital  
24 project is constructed on or planned to be constructed on  
25 Richmond Avenue west of South Shepherd Drive or on

1 Post Oak Boulevard north of Richmond Avenue in Hous-  
2 ton, Texas.

3 SEC. 167. In developing guidance implementing 49  
4 U.S.C. 5309(i) Program of Interrelated Projects, the Sec-  
5 retary shall consider projects eligible under section  
6 5309(h) Small Starts Projects, including streetcars.

7 SEC. 168. Of the unobligated balance of amounts  
8 made available for fiscal year 2011 or prior fiscal years  
9 to carry out the discretionary bus and bus facilities pro-  
10 gram under 49 U.S.C. 5309, \$27,989,839 shall be used  
11 for new bus rapid transit projects recommended, in the  
12 President's fiscal year 2015 budget request, to be funded  
13 under the heading "Department of Transportation-Fed-  
14 eral Transit Administration-Capital Investment Grants":  
15 *Provided*, That all such projects shall remain subject to  
16 the requirements of 49 U.S.C. 5309 for New Starts, Small  
17 Starts, or Core Capacity projects, as applicable, under the  
18 Capital Investment Grants Program: *Provided further*,  
19 That such funds shall be in addition to the amounts other-  
20 wise made available by this Act for "Department of Trans-  
21 portation-Federal Transit Administration-Capital Invest-  
22 ment Grants".