velop, implement, and continue to measure the effectiveness of a dedicated program of public education and enforcement of highway-rail crossing safety laws and to prevent casualties along railroad rights-of-way. The Secretary may not make a grant under this chapter available to assist a State or political subdivision thereof in establishing or continuing a quiet zone pursuant to part 222 of title 49, Code of Federal Regulations.

(b) MAXIMUM GRANT AMOUNT UNDER SECTION 22501(2).—No grant awarded under section 22501(2) may exceed $250,000.

(Added Pub. L. 110–432, div. A, title II, § 207(a), Oct. 16, 2008, 122 Stat. 4874.)

### § 22505. Authorization of appropriations

There are authorized to be appropriated to the Secretary $1,500,000 for each of fiscal years 2010 through 2013 to carry out the provisions of section 22501(1) of this chapter. There are authorized to be appropriated to the Secretary $1,500,000 for each of fiscal years 2010 through 2013 to carry out the provisions of section 22501(2) of this chapter. Amounts appropriated pursuant to this section shall remain available until expended.

(Added Pub. L. 110–432, div. A, title II, § 207(a), Oct. 16, 2008, 122 Stat. 4874.)

## CHAPTER 227—STATE RAIL PLANS

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### § 22701. Definitions

In this subchapter:[1]

(1) PRIVATE BENEFIT.—

(A) IN GENERAL.—The term ''private benefit''—

(i) means a benefit accrued to a person or private entity, other than Amtrak, that directly improves the economic and competitive condition of that person or entity through improved assets, cost reductions, service improvements, or any other means as defined by the Secretary; and

(ii) shall be determined on a project-by-project basis, based upon an agreement between the parties.

(B) CONSULTATION.—The Secretary may seek the advice of the States and rail carriers in further defining this term.

(2) PUBLIC BENEFIT.—

(A) IN GENERAL.—The term ''public benefit''—

(i) means a benefit accrued to the public, including Amtrak, in the form of enhanced mobility of people or goods, environmental protection or enhancement, congestion mitigation, enhanced trade and economic development, improved air quality or land use, more efficient energy use, enhanced public safety or security, reduction of public expenditures due to improved transportation efficiency or infrastructure preservation, and any other positive community effects as defined by the Secretary; and

(ii) shall be determined on a project-by-project basis, based upon an agreement between the parties.

(B) CONSULTATION.—The Secretary may seek the advice of the States and rail carriers in further defining this term.

(3) STATE.—The term ''State'' means any of the 50 States and the District of Columbia.

(4) STATE RAIL TRANSPORTATION AUTHORITY.—The term ''State rail transportation authority'' means the State agency or official responsible under the direction of the Governor of the State or a State law for preparation, maintenance, coordination, and administration of the State rail plan.

(Added Pub. L. 110–432, div. B, title III, § 303(a), Oct. 16, 2008, 122 Stat. 4947.)

### § 22702. Authority

(a) IN GENERAL.—Each State may prepare and maintain a State rail plan in accordance with the provisions of this chapter.

(b) REQUIREMENTS.—The Secretary shall establish the minimum requirements for the preparation and periodic revision of a State rail plan, including that a State shall—

(1) establish or designate a State rail transportation authority to prepare, maintain, coordinate, and administer the plan;

(2) establish or designate a State rail plan approval authority to approve the plan;

(3) submit the State's approved plan to the Secretary of Transportation for review; and

(4) revise and resubmit a State-approved plan no less frequently than once every 5 years for reapproval by the Secretary.

(Added Pub. L. 110–432, div. B, title III, § 303(a), Oct. 16, 2008, 122 Stat. 4948.)

### § 22703. Purposes

(a) PURPOSES.—The purposes of a State rail plan are as follows:

(1) To set forth State policy involving freight and passenger rail transportation, including commuter rail operations, in the State.

(2) To establish the period covered by the State rail plan.

(3) To present priorities and strategies to enhance rail service in the State that benefits the public.

(4) To serve as the basis for Federal and State rail investments within the State.

(b) COORDINATION.—A State rail plan shall be coordinated with other State transportation planning goals and programs, including the plan required under section 135 of title 23, and set forth rail transportation's role within the State transportation system.

(Added Pub. L. 110–432, div. B, title III, § 303(a), Oct. 16, 2008, 122 Stat. 4948.)

### § 22704. Transparency; coordination; review

(a) PREPARATION.—A State shall provide adequate and reasonable notice and opportunity for

[1] So in original. Probably should be ''chapter:''.