

comment and other input to the public, rail carriers, commuter and transit authorities operating in, or affected by rail operations within the State, units of local government, and other interested parties in the preparation and review of its State rail plan.

(b) INTERGOVERNMENTAL COORDINATION.—A State shall review the freight and passenger rail service activities and initiatives by regional planning agencies, regional transportation authorities, and municipalities within the State, or in the region in which the State is located, while preparing the plan, and shall include any recommendations made by such agencies, authorities, and municipalities as deemed appropriate by the State.

(Added Pub. L. 110-432, div. B, title III, §303(a), Oct. 16, 2008, 122 Stat. 4949.)

#### § 22705. Content

(a) IN GENERAL.—Each State rail plan shall, at a minimum, contain the following:

(1) An inventory of the existing overall rail transportation system and rail services and facilities within the State and an analysis of the role of rail transportation within the State's surface transportation system.

(2) A review of all rail lines within the State, including proposed high-speed rail corridors and significant rail line segments not currently in service.

(3) A statement of the State's passenger rail service objectives, including minimum service levels, for rail transportation routes in the State.

(4) A general analysis of rail's transportation, economic, and environmental impacts in the State, including congestion mitigation, trade and economic development, air quality, land-use, energy-use, and community impacts.

(5) A long-range rail investment program for current and future freight and passenger infrastructure in the State that meets the requirements of subsection (b).

(6) A statement of public financing issues for rail projects and service in the State, including a list of current and prospective public capital and operating funding resources, public subsidies, State taxation, and other financial policies relating to rail infrastructure development.

(7) An identification of rail infrastructure issues within the State that reflects consultation with all relevant stakeholders.

(8) A review of major passenger and freight intermodal rail connections and facilities within the State, including seaports, and prioritized options to maximize service integration and efficiency between rail and other modes of transportation within the State.

(9) A review of publicly funded projects within the State to improve rail transportation safety and security, including all major projects funded under section 130 of title 23.

(10) A performance evaluation of passenger rail services operating in the State, including possible improvements in those services, and a description of strategies to achieve those improvements.

(11) A compilation of studies and reports on high-speed rail corridor development within

the State not included in a previous plan under this subchapter,<sup>1</sup> and a plan for funding any recommended development of such corridors in the State.

(12) A statement that the State is in compliance with the requirements of section 22102.

(b) LONG-RANGE SERVICE AND INVESTMENT PROGRAM.—

(1) PROGRAM CONTENT.—A long-range rail investment program included in a State rail plan under subsection (a)(5) shall, at a minimum, include the following matters:

(A) A list of any rail capital projects expected to be undertaken or supported in whole or in part by the State.

(B) A detailed funding plan for those projects.

(2) PROJECT LIST CONTENT.—The list of rail capital projects shall contain—

(A) a description of the anticipated public and private benefits of each such project; and

(B) a statement of the correlation between—

(i) public funding contributions for the projects; and

(ii) the public benefits.

(3) CONSIDERATIONS FOR PROJECT LIST.—In preparing the list of freight and intercity passenger rail capital projects, a State rail transportation authority should take into consideration the following matters:

(A) Contributions made by non-Federal and non-State sources through user fees, matching funds, or other private capital involvement.

(B) Rail capacity and congestion effects.

(C) Effects on highway, aviation, and maritime capacity, congestion, or safety.

(D) Regional balance.

(E) Environmental impact.

(F) Economic and employment impacts.

(G) Projected ridership and other service measures for passenger rail projects.

(Added Pub. L. 110-432, div. B, title III, §303(a), Oct. 16, 2008, 122 Stat. 4949.)

#### § 22706. Review

The Secretary shall prescribe procedures for States to submit State rail plans for review under this title, including standardized format and data requirements. State rail plans completed before the date of enactment of the Passenger Rail Investment and Improvement Act of 2008 that substantially meet the requirements of this chapter, as determined by the Secretary, shall be deemed by the Secretary to have met the requirements of this chapter.

(Added Pub. L. 110-432, div. B, title III, §303(a), Oct. 16, 2008, 122 Stat. 4950.)

#### REFERENCES IN TEXT

The date of enactment of the Passenger Rail Investment and Improvement Act of 2008, referred to in text, is the date of enactment of div. B of Pub. L. 110-432, which was approved Oct. 16, 2008.

<sup>1</sup> So in original. Probably should be "chapter."

PART C—PASSENGER TRANSPORTATION

CHAPTER 241—GENERAL

- Sec.
- 24101. Findings, mission, and goals.
- 24102. Definitions.
- 24103. Enforcement.
- 24104. Authorization of appropriations.
- 24105. Congestion grants.

AMENDMENTS

2008—Pub. L. 110-432, div. B, title II, §201(e)(2), title III, §302(b), Oct. 16, 2008, 122 Stat. 4911, 4947, substituted “Findings, mission, and goals” for “Findings, purpose, and goals” in item 24101 and added item 24105.

§ 24101. Findings, mission, and goals

(a) FINDINGS.—(1) Public convenience and necessity require that Amtrak, to the extent its budget allows, provide modern, cost-efficient, and energy-efficient intercity rail passenger transportation between crowded urban areas and in other areas of the United States.

(2) Rail passenger transportation can help alleviate overcrowding of airways and airports and on highways.

(3) A traveler in the United States should have the greatest possible choice of transportation most convenient to the needs of the traveler.

(4) A greater degree of cooperation is necessary among Amtrak, other rail carriers, State, regional, and local governments, the private sector, labor organizations, and suppliers of services and equipment to Amtrak to achieve a performance level sufficient to justify expending public money.

(5) Modern and efficient commuter rail passenger transportation is important to the viability and well-being of major urban areas and to the energy conservation and self-sufficiency goals of the United States.

(6) As a rail passenger transportation entity, Amtrak should be available to operate commuter rail passenger transportation through its subsidiary, Amtrak Commuter, under contract with commuter authorities that do not provide the transportation themselves as part of the governmental function of the State.

(7) The Northeast Corridor is a valuable resource of the United States used by intercity and commuter rail passenger transportation and freight transportation.

(8) Greater coordination between intercity and commuter rail passenger transportation is required.

(b) MISSION.—The mission of Amtrak is to provide efficient and effective intercity passenger rail mobility consisting of high quality service that is trip-time competitive with other intercity travel options and that is consistent with the goals of subsection (d).

(c) GOALS.—Amtrak shall—

- (1) use its best business judgment in acting to minimize United States Government subsidies, including—
  - (A) increasing fares;
  - (B) increasing revenue from the transportation of mail and express;
  - (C) reducing losses on food service;
  - (D) improving its contracts with operating rail carriers;

- (E) reducing management costs; and
- (F) increasing employee productivity;

(2) minimize Government subsidies by encouraging State, regional, and local governments and the private sector, separately or in combination, to share the cost of providing rail passenger transportation, including the cost of operating facilities;

(3) carry out strategies to achieve immediately maximum productivity and efficiency consistent with safe and efficient transportation;

(4) operate Amtrak trains, to the maximum extent feasible, to all station stops within 15 minutes of the time established in public timetables;

(5) develop transportation on rail corridors subsidized by States and private parties;

(6) implement schedules based on a system-wide average speed of at least 60 miles an hour that can be achieved with a degree of reliability and passenger comfort;

(7) encourage rail carriers to assist in improving intercity rail passenger transportation;

(8) improve generally the performance of Amtrak through comprehensive and systematic operational programs and employee incentives;

(9) provide additional or complementary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available;

(10) carry out policies that ensure equitable access to the Northeast Corridor by intercity and commuter rail passenger transportation;

(11) coordinate the uses of the Northeast Corridor, particularly intercity and commuter rail passenger transportation; and

(12) maximize the use of its resources, including the most cost-effective use of employees, facilities, and real property.

(d) MINIMIZING GOVERNMENT SUBSIDIES.—To carry out subsection (c)(12) of this section, Amtrak is encouraged to make agreements with the private sector and undertake initiatives that are consistent with good business judgment and designed to maximize its revenues and minimize Government subsidies. Amtrak shall prepare a financial plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2008, including the budgetary goals for fiscal years 2009 through 2013. Amtrak and its Board of Directors shall adopt a long-term plan that minimizes the need for Federal operating subsidies.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 899; Pub. L. 105-134, title I, §105(b), title II, §201, Dec. 2, 1997, 111 Stat. 2573, 2578; Pub. L. 110-432, div. B, title II, §§201(e)(1), 218(a)(1), Oct. 16, 2008, 122 Stat. 4910, 4930.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24101(a) .....	45:501.	Oct. 30, 1970, Pub. L. 91-518, §101, 84 Stat. 1328; Sept. 29, 1979, Pub. L. 96-73, §102, 93 Stat. 537; restated Aug. 13, 1981, Pub. L. 97-35, §1171, 95 Stat. 687.