

IC 8-3-21

Chapter 21. Interstate Rail Passenger Network Compact

IC 8-3-21-1

Ratification

Sec. 1. The interstate rail passenger network compact is ratified, enacted, and entered into by the state of Indiana with all other states joining the compact in the form substantially as this chapter.

As added by P.L.58-1992, SEC.1.

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Policy and purpose

Sec. 2. It is the policy of the states party to this compact to cooperate and share the administrative and financial responsibilities concerning the operation of an interstate rail passenger network system connecting major cities in Illinois, Indiana, Kentucky, Tennessee, Georgia, and Florida. The participating states agree that a rail passenger system would provide a beneficial service and would be enhanced if operated across state lines.

As added by P.L.58-1992, SEC.1.

IC 8-3-21-3

Rail passenger network financial and economic impact study

Sec. 3. (a) The states of Illinois, Indiana, Kentucky, Tennessee, Georgia, and Florida (referred to in this chapter as "participating states") agree, upon adoption of this compact by the respective states, to jointly conduct and participate in a rail passenger network financial and economic impact study. The study must do the following:

(1) Carry forward research previously performed by the national railroad passenger corporation (Amtrak) (report issued December 1990) and the Evansville Amtrak task force (report issued November 1990) that evaluated the "western route" (Chicago-Evansville-Nashville-Chattanooga-Macon-Waycross-Jacksonville) for purposes of evaluating a representative service schedule, train running times, and associated costs.

(2) Include consideration of the following:

(A) The purchase of railroad equipment by a participating state and the lease of the railroad equipment to Amtrak.

(B) The recommendation that a member of the council serve on the Amtrak board of directors.

(C) The periodic review of projected passenger traffic estimates on the western route.

(D) Any other matter related to the financial and economic impact of a rail passenger network along the western route.

(b) Information and data collected during the study under subsection (a) that is requested by a participating state or a consulting firm representing a participating state or the compact may

be made available to the state or firm. However, the information may not include matters not of public record or of a nature considered to be privileged and confidential unless the state providing the information agrees to waive the confidentiality.

As added by P.L.58-1992, SEC.1.

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Mutual assistance

Sec. 4. The participating states agree to do the following:

(1) Make available to each other and to a consulting firm representing a participating state or the compact assistance that is available, including personnel, equipment, office space, machinery, computers, engineering, and technical advice and services.

(2) Provide financial assistance for the implementation of the feasibility study that is available.

As added by P.L.58-1992, SEC.1.

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Interstate rail passenger advisory council

Sec. 5. The interstate rail passenger advisory council (referred to in this compact as the "council") is created. The membership of the council consists of three (3) individuals from each participating state. The governor, president pro tempore of the senate, and speaker of the house of representatives shall each appoint one (1) member of the council.

As added by P.L.58-1992, SEC.1.

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Duties of council

Sec. 6. The council shall do the following:

(1) Meet within thirty (30) days after ratification of this agreement by at least two (2) participating states.

(2) Establish rules for the conduct of the council's business, including the payment of the reasonable and necessary travel expenses of council members.

(3) Coordinate all aspects of the rail passenger financial and economic impact study under section 3 of this chapter.

(4) Contract with persons, including postsecondary educational institutions, for performance of any part of the study under section 3 of this chapter.

(5) Upon approval of the study, determine the proportionate share that each state will contribute toward the implementation and management of the proposed restoration of the interstate rail passenger system along the western route.

(6) Make recommendations to each participating state legislature concerning the results of the study required by this chapter.

As added by P.L.58-1992, SEC.1. Amended by P.L.2-2007, SEC.134.

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Effective date

Sec. 7. This compact becomes effective upon the adoption of the compact into law by at least two (2) of the participating states. Thereafter, the compact becomes effective for another participating state upon the enactment of the compact by the state.

As added by P.L.58-1992, SEC.1.

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Withdrawal from compact

Sec. 8. This compact continues in force with respect to a participating state and remains binding upon the state until six (6) months after the state has given notice to each other participating state of the repeal of this chapter. The withdrawal may not be construed to relieve a participating state from an obligation incurred before the end of the state's participation in the compact.

As added by P.L.58-1992, SEC.1.

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Construction and severability

Sec. 9. (a) This compact shall be liberally construed to effectuate the compact's purposes.

(b) The provisions of this compact are severable. If:

(1) a phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of a participating state or of the United States; or

(2) the applicability of this compact to a government, an agency, a person, or a circumstance is held invalid;

the validity of the remainder of this compact and the compact's applicability to any government, agency, person, or circumstance is not affected.

(c) If this compact is held contrary to the constitution of a participating state, the compact remains in effect for the remaining participating states and in effect for the state affected for all severable matters.

As added by P.L.58-1992, SEC.1.