

stituted for “in connection with” for clarity. The words “all” and “(including fees of accountants, experts, and attorneys)” are omitted as surplus. The words “a civil action” are substituted for “any litigation” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “legal” and “given, issued, or entered into” are omitted as surplus.

REFERENCES IN TEXT

The Regional Rail Reorganization Act of 1973, referred to in subsecs. (a) and (b), is Pub. L. 93-236, Jan. 2, 1974, 87 Stat. 985, as amended, which is classified principally to chapter 16 (§701 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 45 and Tables.

ABOLITION OF SPECIAL COURT, REGIONAL RAIL REORGANIZATION ACT OF 1973, AND TRANSFER OF FUNCTIONS

Special court abolished and all jurisdiction and functions transferred to United States District Court for District of Columbia, see section 719(b)(2) of Title 45, Railroads.

§ 24908. Transfer taxes and levies and recording charges

A transfer of an interest in rail property under this chapter is exempt from a tax or levy related to the transfer that is imposed by the United States Government, a State, or a political subdivision of a State. On payment of the appropriate and generally applicable charge for the service performed, a transferee or transferor may record an instrument and, consistent with the final system plan, the release or removal of a pre-existing lien or encumbrance of record related to the interest transferred.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 937.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24908	45:743(e) (words “title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 [45 U.S.C. 851 et seq.] or of”).	Jan. 2, 1974, Pub. L. 93-236, 87 Stat. 985, §303(e) (words “title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 or of”); added Feb. 5, 1976, Pub. L. 94-210, §601(d), 90 Stat. 84; Sept. 30, 1976, Pub. L. 94-436, §5 (related to title VII), 90 Stat. 1399.

The words “or conveyances”, “(whether real, personal, or mixed)”, “which are made at any time”, “the purposes of”, “imposts”, “or on the recording of deeds, bills of sale, liens, encumbrances, or other instruments evidencing, effectuating, or incident to any such transfers or conveyances, whether imposed on the transferor or on the transferee”, “now or hereafter”, “to compensate . . . the cost of”, “such deeds, bills of sale, liens, encumbrances, or other”, and “the designations and applicable principles in” are omitted as surplus.

§ 24909. Authorization of appropriations

(a) GENERAL.—(1) Not more than \$2,313,000,000 may be appropriated to the Secretary of Transportation to achieve the goals of section 24902(a)(1)¹ of this title. From this amount, the following amounts shall be expended by Amtrak:

(A) at least \$27,000,000 for equipment modification and replacement that a State or a local or regional transportation authority must bear because of the electrification con-

version system of the Northeast Corridor under this chapter.

(B) \$30,000,000—

- (i) to improve the main line track between the Northeast Corridor main line and Atlantic City, New Jersey, to ensure that the track, consistent with a plan New Jersey developed in consultation with Amtrak to provide rail passenger transportation between the Northeast Corridor main line and Atlantic City, New Jersey, would be of sufficient quality to allow safe rail passenger transportation at a minimum of 79 miles an hour not later than September 30, 1985; and
- (ii) to promote rail passenger use of the track.

(C) necessary amounts to—

- (i) develop Union Station in the District of Columbia;
- (ii) install 189 track-miles, and renew 133 track-miles, of concrete ties with continuously welded rail between the District of Columbia and New York, New York;
- (iii) install reverse signaling between Philadelphia, Pennsylvania, and Morrisville, Pennsylvania, on numbers 2 and 3 track;
- (iv) restore ditch drainage in concrete tie locations between the District of Columbia and New York, New York;
- (v) undercut 83 track-miles between the District of Columbia and New York, New York;
- (vi) rehabilitate bridges between the District of Columbia and New York, New York (including Hi line);
- (vii) develop a maintenance of way equipment repair facility between the District of Columbia and New York, New York, and build maintenance of way bases at Philadelphia, Pennsylvania, Sunnyside, New York, and Cedar Hill, Connecticut;
- (viii) stabilize the roadbed between the District of Columbia and New York, New York;
- (ix) automate the Bush River Drawbridge at milepost 72.14;
- (x) improve the New York Service Facility to develop rolling stock repair capability;
- (xi) install a rail car washer facility at Philadelphia, Pennsylvania;
- (xii) restore storage tracks and buildings at the Washington Service Facility;
- (xiii) install centralized traffic control from Landlith, Delaware, to Philadelphia, Pennsylvania;
- (xiv) improve track, including high speed surfacing, ballast cleaning, and associated equipment repair and material distribution;
- (xv) rehabilitate interlockings between the District of Columbia and New York, New York;
- (xvi) paint the Connecticut River, Groton, and Pelham Bay bridges;
- (xvii) provide additional catenary renewal and power supply upgrading between the District of Columbia and New York, New York;
- (xviii) rehabilitate structural, electrical, and mechanical systems at the 30th Street Station in Philadelphia, Pennsylvania;
- (xix) install evacuation and fire protection facilities in tunnels in New York, New York;

¹ See References in Text note below.

(xx) improve the communication and signal systems between Wilmington, Delaware, and Boston, Massachusetts, on the Northeast Corridor main line, and between Philadelphia, Pennsylvania, and Harrisburg, Pennsylvania, on the Harrisburg Line;

(xxi) improve the electric traction systems between Wilmington, Delaware, and Newark, New Jersey;

(xxii) install baggage rack restraints, seat back guards, and seat lock devices on 348 passenger cars operating in the Northeast Corridor;

(xxiii) install 44 event recorders and 10 electronic warning devices on locomotives operating within the Northeast Corridor; and

(xxiv) acquire cab signal test boxes and install 9 wayside loop code transmitters for use within the Northeast Corridor.

(2) The following additional amounts may be appropriated to the Secretary for expenditure by Amtrak:

(A) not more than \$150,000,000 to achieve the goal of section 24902(a)(3)¹ of this title.

(B) not more than \$120,000,000 to acquire interests in property in the Northeast Corridor.

(C) not more than \$650,000 to develop and use mobile radio frequencies for passenger radio mobile telephone service on high-speed rail passenger transportation.

(D) not more than \$20,000,000 to acquire and improve interests in rail property designated under section 206(c)(1)(D) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 716(c)(1)(D)).

(E) not more than \$37,000,000 to carry out section 24902(a)(7) and (j)¹ of this title.

(b) EMERGENCY MAINTENANCE.—Not more than \$25,000,000 of the amount appropriated under the Act of February 28, 1975 (Public Law 94-6, 89 Stat. 11), may be used by Amtrak for emergency maintenance on rail property designated under section 206(c)(1)(C) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 716(c)(1)(C)).

(c) PRIORITY IN USING CERTAIN AMOUNTS.—Amounts appropriated under subsection (a)(2)(B) and (D) of this section shall be used first to repay, with interest, obligations guaranteed under section 602 of the Rail Passenger Service Act, if the proceeds of those obligations were used to pay the expenses of acquiring interests in property referred to in subsection (a)(2)(B) and (D).

(d) PROHIBITION ON SUBSIDIZING COMMUTER AND FREIGHT OPERATING LOSSES.—Amounts appropriated under this section may not be used to subsidize operating losses of commuter rail or rail freight transportation.

(e) SUBSTITUTING AND DEFERRING CERTAIN IMPROVEMENTS.—(1) A project for which amounts are authorized under subsection (a)(1)(C) of this section is a part of the Northeast Corridor improvement program and is not a substitute for improvements specified in the document “Corridor Master Plan II, NECIP Restructured Program” of January, 1982. However, Amtrak may defer the project to carry out the improvement and rehabilitation for which amounts are authorized under subsection (a)(1)(B) of this section.

The total cost of the project that Amtrak defers may not be substantially more than the amount Amtrak is required to expend or reserve under subsection (a)(1)(B).

(2) Section 24902 of this title is deemed not to be fulfilled until the projects under subsection (a)(1)(C) of this section are completed.

(f) AVAILABILITY OF AMOUNTS.—Amounts appropriated under subsection (a)(1) and (2)(A) and (C)–(E) of this section remain available until expended.

(g) AUTHORIZATIONS INCREASED BY PRIOR YEAR DEFICIENCIES.—An amount greater than that authorized for a fiscal year may be appropriated to the extent that the amount appropriated for any prior fiscal year is less than the amount authorized for that year.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 937.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
24909(a)(1) ..	45:854(a) (1st sentence).	Feb. 5, 1976, Pub. L. 94-210, 90 Stat. 31, §704(a) (1st sentence); added Aug. 13, 1981, Pub. L. 97-35, §1193(1), 95 Stat. 701.
	45:854(a) (2d sentence cl. (1) (less availability)).	Feb. 5, 1976, Pub. L. 94-210, §704(a) (2d sentence), 90 Stat. 122; Oct. 19, 1976, Pub. L. 94-555, §217(a), (b), 90 Stat. 2627; Oct. 5, 1978, Pub. L. 95-421, §9, 92 Stat. 928; May 30, 1980, Pub. L. 96-254, §204(a), 94 Stat. 411; Jan. 14, 1983, Pub. L. 97-468, §301(2), 96 Stat. 2548; June 22, 1988, Pub. L. 100-342, §6, 102 Stat. 627.
	45:855(b).	Feb. 5, 1976, Pub. L. 94-210, 90 Stat. 31, §705(b); added May 30, 1980, Pub. L. 96-254, §206(a), 94 Stat. 413; Jan. 14, 1983, Pub. L. 97-468, §301(5)(B), 96 Stat. 2550.
24909(a) (2)(A).	45:854(a) (2d sentence cl. (2) (less availability)).	
	45:855(b).	
24909(a) (2)(B)–(E).	45:854(a) (2d sentence cls. (3)(A)–(D) (1st sentence), (4) (as 2d sentence cls. (3)(A)–(D) (1st sentence), (4) relate to other than availability)).	
	45:855(b).	
24909(b)	45:854(d).	Feb. 5, 1976, Pub. L. 94-210, §704(d), 90 Stat. 123.
	45:855(b).	
24909(c)	45:854(a) (2d sentence cl. (3)(D) (last sentence)).	
24909(d)	45:854(b)(1) (related to 854).	Feb. 5, 1976, Pub. L. 94-210, §704(b)(1) (related to §704), 90 Stat. 123; Jan. 14, 1983, Pub. L. 97-468, §301(4)(A), 96 Stat. 2549.
24909(e)	45:854(b)(2).	Feb. 5, 1976, Pub. L. 94-210, 90 Stat. 31, §704(b)(2); added Jan. 14, 1983, Pub. L. 97-468, §301(4)(B), 96 Stat. 2549.
	45:855(b).	
24909(f)	45:854(a) (2d sentence cls. (1)–(3)(D) (1st sentence), (4) (as 2d sentence cls. (1)–(3)(D) (1st sentence), (4) relate to availability)).	
24909(g)	45:854(a) (3d sentence).	Feb. 5, 1976, Pub. L. 94-210, 90 Stat. 31, §704(a) (3d sentence); added Aug. 13, 1981, Pub. L. 97-35, §1193(2), 95 Stat. 702.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
	45:854(a) (4th-last sentences).	Feb. 5, 1976, Pub. L. 94-210, 90 Stat. 31, §704(a) (4th-last sentences); added Jan. 14, 1983, Pub. L. 97-468, §301(3), 96 Stat. 2549.

In subsections (a) and (f), the text of 45:854(a) (2d sentence cl. (3)(A)) is omitted as executed.

In subsection (a)(1), before clause (A), the text of 45:854(a) (1st sentence) is omitted as surplus because of section 24902(a) of the revised title. In clause (B)(i), the words “if the National Railroad Passenger Corporation receives notification on or before June 1, 1983, from . . . that such State has approved” and “and if such Corporation determines that such plan is feasible” are omitted as executed. The words “rehabilitation and other . . . (including upgrading track and the signal system, ensuring safety at public and private highway and pedestrian crossings by improving signals or eliminating such crossings, and the improvement of operational portions of stations related to intercity rail passenger service)” are omitted as surplus. In clause (C), before subclause (i), the words “with respect to the main line of the Northeast Corridor” are omitted as surplus. In subclauses (i), (ii), (iv)–(viii), (xv), and (xvii), the word “Washington” is omitted as surplus. In subclause (xx), the words “at locations” are omitted as surplus.

In subsection (a)(2)(C), the words “passenger radio mobile telephone service on high-speed rail passenger transportation” are substituted for “high-speed rail passenger rail telephone service” for consistency in this chapter.

In subsection (a)(2)(D), the word “rail” is added for consistency in the revised title.

In subsection (b), the words “After the conveyance of rail properties, pursuant to section 303(b) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 743(b)) and section 851(b) of this title” are omitted as executed. The words “remain available to” and “the purpose of performing” are omitted as surplus.

In subsection (c), the words “that portion of . . . issued by the National Railroad Passenger Corporation and” are omitted as surplus.

In subsection (e)(1), the words “to be appropriated”, “undertaken or viewed as”, “entitled”, and “prepared for the United States Department of Transportation, Federal Railroad Administration, Northeast Corridor Improvement Project, in cooperation with the Federal Railroad Administration and the National Railroad Passenger Corporation (Amtrak), by Deleuw, Cather/Parsons, NECIP architect/engineer” are omitted as surplus. The words “for which amounts are authorized under” are substituted for “described in” for clarity. The words “for expenditure” are omitted as surplus.

In subsection (g), the text of 45:854(a) (3d, 5th, and last sentences) is omitted as executed. The words “An amount greater than that authorized for a fiscal year” are substituted for “Funds . . . in excess of limitations imposed under the preceding sentence with respect to a fiscal year, or for fiscal years after the fiscal year ending September 30, 1983” to eliminate unnecessary and obsolete words. The words “under this section” are omitted as surplus. The words “amount authorized” are substituted for “limitation under such sentence” for consistency.

REFERENCES IN TEXT

Section 24902 of this title, referred to in subsecs. (a)(1), (2)(A), (E), was amended by Pub. L. 105-134, title IV, §405(b)(1), Dec. 2, 1997, 111 Stat. 2586, and, as so amended, subsec. (a) of that section was repealed and subsecs. (b), (j), and (m) were redesignated (a), (g), and (j), respectively.

Act of February 28, 1975 (Public Law 94-6, 89 Stat. 11), referred to in subsec. (b), provided appropriations for

interim operating assistance for Federal Railroad Administration of Department of Transportation in chapter II which is not classified to the Code.

Section 602 of the Rail Passenger Service Act, referred to in subsec. (c), was classified to section 602 of Title 45, Railroads, prior to repeal by Pub. L. 102-533, §7(c), Oct. 27, 1992, 106 Stat. 3519.

§ 24910. Rail cooperative research program

(a) IN GENERAL.—The Secretary shall establish and carry out a rail cooperative research program. The program shall—

(1) address, among other matters, intercity rail passenger and freight rail services, including existing rail passenger and freight technologies and speeds, incrementally enhanced rail systems and infrastructure, and new high-speed wheel-on-rail systems;

(2) address ways to expand the transportation of international trade traffic by rail, enhance the efficiency of intermodal interchange at ports and other intermodal terminals, and increase capacity and availability of rail service for seasonal freight needs;

(3) consider research on the interconnectedness of commuter rail, passenger rail, freight rail, and other rail networks; and

(4) give consideration to regional concerns regarding rail passenger and freight transportation, including meeting research needs common to designated high-speed corridors, long-distance rail services, and regional intercity rail corridors, projects, and entities.

(b) CONTENT.—The program to be carried out under this section shall include research designed—

(1) to identify the unique aspects and attributes of rail passenger and freight service;

(2) to develop more accurate models for evaluating the impact of rail passenger and freight service, including the effects on highway and airport and airway congestion, environmental quality, and energy consumption;

(3) to develop a better understanding of modal choice as it affects rail passenger and freight transportation, including development of better models to predict utilization;

(4) to recommend priorities for technology demonstration and development;

(5) to meet additional priorities as determined by the advisory board established under subsection (c), including any recommendations made by the National Research Council;

(6) to explore improvements in management, financing, and institutional structures;

(7) to address rail capacity constraints that affect passenger and freight rail service through a wide variety of options, ranging from operating improvements to dedicated new infrastructure, taking into account the impact of such options on operations;

(8) to improve maintenance, operations, customer service, or other aspects of intercity rail passenger and freight service;

(9) to recommend objective methodologies for determining intercity passenger rail routes and services, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes;

(10) to review the impact of equipment and operational safety standards on the further de-