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PRIOR PROVISIONS

A prior subtitle IV, consisting of chapters 101 to 119, related to interstate commerce, prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

AMENDMENTS

1997—Pub. L. 105-102, §2(5), Nov. 20, 1997, 111 Stat. 2204, struck out “AND TARIFFS” after “RATES” in item for chapter 155.

PART A—RAIL

CHAPTER 101—GENERAL PROVISIONS

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§ 10101. Rail transportation policy

In regulating the railroad industry, it is the policy of the United States Government—

- (1) to allow, to the maximum extent possible, competition and the demand for services to establish reasonable rates for transportation by rail;
- (2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;
- (3) to promote a safe and efficient rail transportation system by allowing rail carriers to earn adequate revenues, as determined by the Board;
- (4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense;
- (5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes;
- (6) to maintain reasonable rates where there is an absence of effective competition and where rail rates provide revenues which exceed

the amount necessary to maintain the rail system and to attract capital;

- (7) to reduce regulatory barriers to entry into and exit from the industry;
- (8) to operate transportation facilities and equipment without detriment to the public health and safety;
- (9) to encourage honest and efficient management of railroads;
- (10) to require rail carriers, to the maximum extent practicable, to rely on individual rate increases, and to limit the use of increases of general applicability;
- (11) to encourage fair wages and safe and suitable working conditions in the railroad industry;
- (12) to prohibit predatory pricing and practices, to avoid undue concentrations of market power, and to prohibit unlawful discrimination;
- (13) to ensure the availability of accurate cost information in regulatory proceedings, while minimizing the burden on rail carriers of developing and maintaining the capability of providing such information;
- (14) to encourage and promote energy conservation; and
- (15) to provide for the expeditious handling and resolution of all proceedings required or permitted to be brought under this part.

(Added Pub. L. 104-88, title I, §102(a), Dec. 29, 1995, 109 Stat. 805.)

PRIOR PROVISIONS

Prior sections 10101 and 10101a were omitted in the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Section 10101, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1337; Pub. L. 96-296, §4, July 1, 1980, 94 Stat. 793; Pub. L. 96-448, title I, §101(b), Oct. 14, 1980, 94 Stat. 1898; Pub. L. 97-261, §5, Sept. 20, 1982, 96 Stat. 1103; Pub. L. 103-311, title II, §204, Aug. 26, 1994, 108 Stat. 1683, related to transportation policy. See sections 13101 and 15101 of this title.

Section 10101a, added Pub. L. 96-448, title I, §101(a), Oct. 14, 1980, 94 Stat. 1897, related to rail transportation policy.

EFFECTIVE DATE

Chapter effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 701 of this title.

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-432, div. A, title VI, §601, Oct. 16, 2008, 122 Stat. 4900, provided that: “This title [enacting sections 10908 to 10910 of this title and amending section 10501 of this title] may be cited as the ‘Clean Railroads Act of 2008.’”

Pub. L. 110-291, §1, July 30, 2008, 122 Stat. 2915, provided that: “This Act [amending sections 13102, 13902, and 13905 of this title and enacting provisions set out as notes under section 13902 of this title] may be cited as the ‘Over-the-Road Bus Transportation Accessibility Act of 2007.’”

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-59, title IV, §4201, Aug. 10, 2005, 119 Stat. 1751, provided that: “This subtitle [subtitle B (§§4201-4216) of title IV of Pub. L. 109-59, enacting sections 14710, 14711, and 14915 of this title, amending sections 13102, 13707, 13902, 14104, 14501, 14706, 14708, and 14901 of this title, and enacting provisions set out as notes under sections 13102, 14701, 14706, and 14710 of this