

In subsection (a)(2), before clause (A), the words “develop and” are omitted as surplus. In clause (B)(v), the word “rates” is substituted for “fares, tariffs” for consistency in the revised title and with other titles of the United States Code.

In subsection (a)(3), the words “of opinions” and “(among or between the Corporation, Amtrak Commuter, other railroads, commuter authorities, and other State, local, and regional agencies responsible for the provision of commuter rail, rapid rail, or rail freight service), with respect to all matters” are omitted as surplus. The words “for facilities and transportation matters under” are substituted for “those conferred on the Commission in” for clarity.

In subsection (b)(1), the words “Within 30 days after the date of enactment of this Act . . . shall establish” are omitted as executed.

In subsection (b)(3), the words “each Congress” are substituted for “the 103rd Congress, and biennially thereafter” to eliminate unnecessary words. The words “pursuant to the provisions of this section” are omitted as unnecessary.

REFERENCES IN TEXT

The date of enactment of the Passenger Rail Investment and Improvement Act of 2008, referred to in subsecs. (a)(1), (c)(1), and (d)(1), is the date of enactment of div. B of Pub. L. 110-432, which was approved Oct. 16, 2008.

Sections 203 and 211 of the Passenger Rail Investment and Improvement Act of 2008, referred to in subsecs. (b)(2)(A) and (c)(3), are set out as notes under sections 24101 and 24902, respectively, of this title.

AMENDMENTS

2008—Pub. L. 110-432 amended section generally. Prior to amendment, section related to Northeast Corridor Coordination Board and Northeast Corridor Safety Committee.

§ 24906. Eliminating highway at-grade crossings

(a) PLAN.—In consultation with the States on the main line of the Northeast Corridor, the Secretary of Transportation shall develop a plan not later than September 30, 1993, to eliminate all highway at-grade crossings of the main line by not later than December 31, 1997. The plan may provide that eliminating a crossing is not required if—

- (1) impracticable or unnecessary; and
- (2) using the crossing is consistent with conditions the Secretary considers appropriate to ensure safety.

(b) AMTRAK’S SHARE OF COSTS.—Amtrak shall pay 20 percent of the cost of eliminating each highway at-grade crossing under the plan.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 936.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24906(a)	45:650(a), (b).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §811; added Oct. 27, 1992, Pub. L. 102-533, §2, 106 Stat. 3515.
24906(b)	45:650(c).	

§ 24907. Note and mortgage

(a) GENERAL AUTHORITY.—To secure amounts expended by the United States Government to acquire and improve rail property designated under section 206(c)(1)(C) and (D) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 716(c)(1)(C) and (D)), the Secretary of Transportation

may obtain a note of indebtedness from, and make a mortgage agreement with, Amtrak to establish a mortgage lien on the property for the Government. The note and mortgage may not supersede section 24904 of this title.

(b) EXEMPTIONS FROM LAWS AND REGULATIONS.—The note and agreement under subsection (a) of this section, and a transaction related to the note or agreement, are exempt from any United States, State, or local law or regulation that regulates securities or the issuance of securities. The note, agreement, or transaction under this section has the same immunities from other laws that section 601 of the Act (45 U.S.C. 791) gives to transactions that comply with or carry out the final system plan. The transfer of rail property because of the note, agreement, or transaction has the same exemptions, privileges, and immunities that the Act (45 U.S.C. 701 et seq.) gives to a transfer ordered or approved by the special court under section 303(b) of the Act (45 U.S.C. 743(b)).

(c) IMMUNITY FROM LIABILITY AND INDEMNIFICATION.—Amtrak, its board of directors, and its individual directors are not liable because Amtrak has given or issued the note or agreement to the Government under subsection (a) of this section. Immunity granted under this subsection also applies to a transaction related to the note or agreement. The Government shall indemnify Amtrak, its board, and individual directors against costs and expenses actually and reasonably incurred in defending a civil action testing the validity of the note, agreement, or transaction.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 936.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24907(a)	45:854(e).	Feb. 5, 1976, Pub. L. 94-210, 90 Stat. 31, §704(e)-(g); added Oct. 19, 1976, Pub. L. 94-555, §217(c), 90 Stat. 2627.
24907(b)	45:854(f).	
24907(c)	45:854(g).	

In subsection (a), the words “In order . . . protect and”, “securing such expenditure”, “infringe upon or”, and “the authority conferred upon the National Railroad Passenger Corporation by” are omitted as surplus.

In subsections (b) and (c), the words “note” and “agreement” are substituted for “agreement, security, or obligation” for consistency because the Secretary of Transportation gets only notes and mortgage agreements under the source provisions restated in subsection (a) of this section.

In subsection (b), the words “obtained by the Secretary” and “the provisions of subtitle IV of title 49, the Securities Act of 1933 (15 U.S.C. 77a et seq.), and . . . other” are omitted as surplus. The words “has the same” are substituted for “shall enjoy all of the” for clarity. The words “conveyance or” are omitted, and the word “transfer” is substituted for “conveyances”, for consistency in this subtitle. The words “(including section 303(e) thereof [45 U.S.C. 743(e)])” are omitted as surplus. The words “section 303(b)” are substituted for “section 306(b)” to correct a mistake in section 217(c) of the Rail Transportation Improvement Act (Public Law 94-555, 90 Stat. 2628).

In subsection (c), the words “to any party for any damages, or in any other matter” are omitted as surplus. The word “because” is substituted for “by reason of the fact that” to eliminate unnecessary words. The words “related to the note or agreement” are sub-

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 William H. Gray III 30th Street Station in Philadelphia, Pennsylvania;

¹ See References in Text note below.