

preferred route and any alternative routes for the rail segment establishing the linkage.

“SEC. 307. COMMENCEMENT AND TERMINATION OF COMMISSION.

“(a) COMMENCEMENT.—The Agreement should provide for the Commission to begin to function on the date on which all members are appointed to the Commission as provided for in the Agreement.

“(b) TERMINATION.—The Commission should be terminated 90 days after the date on which the Commission submits its report under section 306.

“SEC. 308. FUNDING.

“(a) RAILS TO RESOURCES FUND.—The Agreement should provide for the following:

“(1) ESTABLISHMENT.—The establishment of an interest-bearing account to be known as the ‘Rails to Resources Fund’.

“(2) CONTRIBUTIONS.—The contribution by the United States and the Government of Canada to the Fund of amounts that are sufficient for the Commission to carry out its duties.

“(3) AVAILABILITY.—The availability of amounts in the Fund to pay the costs of Commission activities.

“(4) DISSOLUTION.—Dissolution of the Fund upon the termination of the Commission and distribution of the amounts remaining in the Fund between the United States and the Government of Canada.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to any fund established for use by the Commission as described in subsection (a)(1) \$6,000,000, to remain available until expended.

“SEC. 309. DEFINITIONS.

“In this title:

“(1) AGREEMENT.—The term ‘Agreement’ means an agreement described in section 303.

“(2) COMMISSION.—The term ‘Commission’ means a commission established pursuant to any Agreement.”

§ 28101. Rail police officers

(a) IN GENERAL.—Under regulations prescribed by the Secretary of Transportation, a rail police officer who is employed by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of any jurisdiction in which the rail carrier owns property, to the extent of the authority of a police officer certified or commissioned under the laws of that jurisdiction, to protect—

(1) employees, passengers, or patrons of the rail carrier;

(2) property, equipment, and facilities owned, leased, operated, or maintained by the rail carrier;

(3) property moving in interstate or foreign commerce in the possession of the rail carrier; and

(4) personnel, equipment, and material moving by rail that are vital to the national defense.

(b) ASSIGNMENT.—A railroad police officer employed by a railroad carrier and certified or commissioned as a police officer under the laws of a State may be temporarily assigned to assist a second railroad carrier in carrying out law enforcement duties upon the request of the second railroad carrier, at which time the police officer shall be considered to be an employee of the second railroad carrier and shall have authority to enforce the laws of any jurisdiction in which the second railroad carrier owns property to the same extent as provided in subsection (a).

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 939, §26101; renumbered §28101, Pub. L. 103–440, title

I, §103(a)(1), Nov. 2, 1994, 108 Stat. 4616; amended Pub. L. 110–53, title XV, §1526(a), Aug. 3, 2007, 121 Stat. 452.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
26101	45:446.	Nov. 29, 1990, Pub. L. 101–647, §1704, 104 Stat. 4846.

The words “to the extent of the authority of a police officer certified or commissioned under the laws of that jurisdiction” are placed before clause (1) rather than at the end of clause (4), as in the source provision, to reflect the probable intent of Congress.

AMENDMENTS

2007—Pub. L. 110–53 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1994—Pub. L. 103–440 renumbered section 26101 of this title as this section.

§ 28102. Limit on certain accident or incident liability

(a) GENERAL.—When a publicly financed commuter transportation authority established under Virginia law makes a contract to indemnify Amtrak for liability for operations conducted by or for the authority or to indemnify a rail carrier over whose tracks those operations are conducted, liability against Amtrak, the authority, or the carrier for all claims (including punitive damages) arising from an accident or incident in the District of Columbia related to those operations may not be more than the limits of the liability coverage the authority maintains to indemnify Amtrak or the carrier.

(b) MINIMUM REQUIRED LIABILITY COVERAGE.—A publicly financed commuter transportation authority referred to in subsection (a) of this section must maintain a total minimum liability coverage of at least \$200,000,000.

(c) EFFECTIVENESS.—This section is effective only after Amtrak or a rail carrier seeking an indemnification contract under this section makes an operating agreement with a publicly financed commuter transportation authority established under Virginia law to provide access to its property for revenue transportation related to the operations of the authority.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 940, §26102; renumbered §28102, Pub. L. 103–440, title I, §103(a)(1), Nov. 2, 1994, 108 Stat. 4616.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
26102(a)	45:649(a) (1st sentence).	Oct. 30, 1970, Pub. L. 91–518, 84 Stat. 1327, §810; added July 6, 1990, Pub. L. 101–322, §3, 104 Stat. 295.
26102(b)	45:649(a) (last sentence).	
26102(c)	45:649(b).	

In subsection (a), the words “Notwithstanding any other provision of law”, “whether for compensatory or”, and “occurring” are omitted as surplus.

In subsection (c), the words “an indemnification contract” are substituted for “coverage” for clarity.

AMENDMENTS

1994—Pub. L. 103–440 renumbered section 26102 of this title as this section.