

such payment, when added to the sum of the benefits under the Railroad Unemployment Insurance Act and under this chapter paid such individual with respect to prior days in the benefit year, would exceed one hundred and ninety-five times such individual's daily benefit rate for such benefit year. An employee who has filed, and established, a first claim for benefits under the provisions of the Temporary Extended Unemployment Compensation Act of 1961, may not thereafter establish a claim under this section, and an employee who has registered for, and established, a claim under this section may not thereafter establish a claim under the provisions of the Temporary Extended Unemployment Compensation Act of 1961. Except to the extent inconsistent with this section, the provisions of the Railroad Unemployment Insurance Act shall be applicable in the administration of this section.

(Pub. L. 87-7, §2, Mar. 24, 1961, 75 Stat. 16.)

#### REFERENCES IN TEXT

The Railroad Unemployment Insurance Act, referred to in text, is act June 25, 1938, ch. 680, 52 Stat. 1094, as amended, which is classified principally to chapter 11 (§351 et seq.) of this title. For complete classification of this Act to the Code, see section 367 of this title and Tables.

The Temporary Extended Unemployment Compensation Act of 1961, referred to in text, is Pub. L. 87-6, Mar. 24, 1961, 75 Stat. 8, which enacted sections 1105 and 1400l to 1400v of Title 42, The Public Health and Welfare, amended sections 3301 and 3302 of Title 26, Internal Revenue Code, and enacted provisions set out as notes under sections 1101 and 1400l of Title 42. For complete classification of this Act to the Code, see Tables.

#### SHORT TITLE

Pub. L. 87-7, §1, Mar. 24, 1961, 75 Stat. 16, provided: "That this Act [enacting this chapter] may be cited as the 'Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961'."

### § 402. Exchange of information between Secretary of Labor and Railroad Retirement Board

The Secretary of Labor, upon request, shall furnish the Railroad Retirement Board information deemed necessary by such Board for the administration of section 401 of this title, and such Board, upon request, shall furnish the Secretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Extended Unemployment Compensation Act of 1961.

(Pub. L. 87-7, §3, Mar. 24, 1961, 75 Stat. 17.)

#### REFERENCES IN TEXT

The Temporary Extended Unemployment Compensation Act of 1961, referred to in text, is Pub. L. 87-6, Mar. 24, 1961, 75 Stat. 8, which enacted sections 1105 and 1400l to 1400v of Title 42, The Public Health and Welfare, amended sections 3301 and 3302 of Title 26, Internal Revenue Code, and enacted provisions set out as notes under sections 1101 and 1400l of Title 42. For complete classification of this Act to the Code, see Tables.

### § 403. Appropriation to railroad unemployment insurance account; transfer and repayment of funds; interest

There are authorized to be appropriated to the railroad unemployment insurance account,

without fiscal year limitation, such amounts as may be necessary to carry out the provisions of this chapter. The amounts so appropriated shall be transferred from time to time to the railroad unemployment insurance account on the basis of estimates by the Secretary of the Treasury after consultation with the Railroad Retirement Board of the amounts required from time to time to carry out the provisions of this chapter. Amounts so transferred shall be repayable advances without interest.

(Pub. L. 87-7, §4, Mar. 24, 1961, 75 Stat. 17; Pub. L. 88-133, title III, §303(c), Oct. 5, 1963, 77 Stat. 222.)

#### AMENDMENTS

1963—Pub. L. 88-133 repealed provision for repayment of advances by transfers from account to general fund of Treasury when funds of account derived from increase in employers' contribution rate are adequate for such purpose, which is now covered by section 303(b) of Pub. L. 88-133, set out as a note below.

#### EFFECTIVE DATE OF 1963 AMENDMENT

Pub. L. 88-133, title III, §303(c), Oct. 5, 1963, 77 Stat. 222, provided that the amendment made by such section 303(c) is effective with respect to contributions collected on compensation paid after Dec. 31, 1963.

#### REPAYMENT BY ACCOUNT OF ADVANCES FROM GENERAL FUND OF TREASURY FROM CONTRIBUTIONS COLLECTED ON COMPENSATION PAID AFTER DECEMBER 31, 1963

Pub. L. 88-133, title III, §303(b), Oct. 5, 1963, 77 Stat. 222, provided that: "Effective with respect to contributions collected by the Railroad Retirement Board pursuant to section 8(f) of the Railroad Unemployment Insurance Act [section 358(f) of this title] on compensation paid after December 31, 1963, that part of such contributions equal to one-fourth of 1 per centum of the compensation on which such contributions are based shall, notwithstanding the provisions of section 10(b) of such Act [section 360(b) of this title], be applied by the Board exclusively for transfers from the railroad unemployment insurance account to the general fund of the Treasury until the full amount advanced from the general fund of the Treasury to the railroad unemployment insurance account pursuant to section 4 of the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 [this section] has been repaid."

### § 404. Temporary increase in employers' contribution rate

Notwithstanding the provisions of section 358(a)<sup>2</sup> of this title, the rate of contribution required to be paid under the Railroad Unemployment Insurance Act [45 U.S.C. 351 et seq.] by every employer as defined in such Act shall be 4 per centum with respect to compensation as defined in such Act, paid after December 31, 1961, and before January 1, 1964.

(Pub. L. 87-7, §5, Mar. 24, 1961, 75 Stat. 17.)

#### REFERENCES IN TEXT

Section 358(a) of this title, referred to in text, was amended generally by Pub. L. 100-647, title VII, §7102(a), Nov. 10, 1988, 102 Stat. 3759, and, as so amended, does not contain a cl. "2".

The Railroad Unemployment Insurance Act, referred to in text, is act June 25, 1938, ch. 680, 52 Stat. 1094, as amended, which is classified principally to chapter 11 (§351 et seq.) of this title. For complete classification of

<sup>1</sup> See References in Text note below.

this Act to the Code, see section 367 of this title and Tables.

## CHAPTER 13—RAILROAD SAFETY

### SUBCHAPTER I—GENERAL PROVISIONS

#### § 421. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section, Pub. L. 91-458, title I, §101, Oct. 16, 1970, 84 Stat. 971, stated congressional declaration of purpose for this chapter. See section 20101 of Title 49, Transportation.

### SUBCHAPTER II—RULES, REGULATIONS, ORDERS, AND STANDARDS

#### §§ 431 to 447. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section 431, Pub. L. 91-458, title II, §202, Oct. 16, 1970, 84 Stat. 971; Pub. L. 94-348, §5, July 8, 1976, 90 Stat. 819; Pub. L. 96-423, §14, Oct. 10, 1980, 94 Stat. 1817; Pub. L. 97-468, title VII, §702(a), (c), Jan. 14, 1983, 96 Stat. 2579; Pub. L. 100-342, §§4(a), 7, 9, 10, 19(a), 21-23, June 22, 1988, 102 Stat. 625, 628, 629, 637-639; Pub. L. 102-143, title V, §4, Oct. 28, 1991, 105 Stat. 957; Pub. L. 102-365, §§2, 5(a)(1), 7, 8, 10, Sept. 3, 1992, 106 Stat. 972, 975, 976, 978; Pub. L. 102-533, §14, Oct. 27, 1992, 106 Stat. 3522, authorized Secretary of Transportation to promulgate rules, regulations, orders, and standards for all areas of railroad safety. See sections 20102, 20103, 20103 note, 20108, 20110, 20114, 20131 to 20143, and 24902 of Title 49, Transportation.

Section 432, Pub. L. 91-458, title II, §203, Oct. 16, 1970, 84 Stat. 972; Pub. L. 96-423, §3, Oct. 10, 1980, 94 Stat. 1811, related to emergency powers of Secretary of Transportation. See section 20104 of Title 49.

Section 433, Pub. L. 91-458, title II, §204, Oct. 16, 1970, 84 Stat. 972, required Secretary of Transportation to submit comprehensive study and recommendation of means of eliminating and protecting railroad grade crossings and protecting pedestrians. See section 20134 of Title 49.

Section 434, Pub. L. 91-458, title II, §205, Oct. 16, 1970, 84 Stat. 972, declared that laws, rules, regulations, orders, and standards relating to railroad safety were to be nationally uniform, but permitted more stringent yet compatible State regulation. See section 20106 of Title 49.

Section 435, Pub. L. 91-458, title II, §206, Oct. 16, 1970, 84 Stat. 972; Pub. L. 96-423, §4, Oct. 10, 1980, 94 Stat. 1812; Pub. L. 101-615, §28(a)-(d), Nov. 16, 1990, 104 Stat. 3276, 3277, related to investigative and surveillance activities by State in connection with any rule, regulation, order, or standard related to railroad safety prescribed by Secretary of Transportation. See sections 20105, 20111, and 20117 of Title 49.

Section 436, Pub. L. 91-458, title II, §207, Oct. 16, 1970, 84 Stat. 974; Pub. L. 95-574, §8, Nov. 2, 1978, 92 Stat. 2461; Pub. L. 96-423, §5, Oct. 10, 1980, 94 Stat. 1812; Pub. L. 101-615, §28(e), Nov. 16, 1990, 104 Stat. 3277, related to actions by State agencies to enforce compliance with Federal railroad safety rules, regulations, orders, and standards. See section 20113 of Title 49.

Section 437, Pub. L. 91-458, title II, §208, Oct. 16, 1970, 84 Stat. 974; Pub. L. 93-633, title II, §206, Jan. 3, 1975, 88 Stat. 2166; Pub. L. 95-574, §9, Nov. 2, 1978, 92 Stat. 2462; Pub. L. 96-423, §6, Oct. 10, 1980, 94 Stat. 1813; Pub. L. 100-342, §8, June 22, 1988, 102 Stat. 628, related to general powers of Secretary of Transportation. See section 54a of this title and sections 20107, 20108, 20111, and 20112 of Title 49.

Section 438, Pub. L. 91-458, title II, §209, Oct. 16, 1970, 84 Stat. 975; Pub. L. 93-633, title II, §204(a), Jan. 3, 1975, 88 Stat. 2165; Pub. L. 96-423, §§7, 8(a), Oct. 10, 1980, 94 Stat. 1814; Pub. L. 97-468, title VII, §706, Jan. 14, 1983, 96 Stat. 2581; Pub. L. 100-342, §3(a), June 22, 1988, 102 Stat. 624; Pub. L. 102-365, §§4(a)(1), (c)(1), 9(a)(1), Sept.

3, 1992, 106 Stat. 973, 974, 977, related to civil penalties for violations of any railroad safety rule, regulation, order, or standard issued under this subchapter or violations of section 39 of this title. See sections 20111, 20112, 20114, 21301, 21302, 21304, and 21311 of Title 49.

Section 439, Pub. L. 91-458, title II, §210, Oct. 16, 1970, 84 Stat. 975; Pub. L. 96-423, §9, Oct. 10, 1980, 94 Stat. 1814; Pub. L. 101-615, §28(f), Nov. 16, 1990, 104 Stat. 3277, related to restraint of violations of this subchapter and certain other statutes and to enforcement of rules, etc., established under such subchapter or statutes. See sections 20112 to 20114 of Title 49.

Section 440, Pub. L. 91-458, title II, §211, Oct. 16, 1970, 84 Stat. 976; Pub. L. 93-633, title II, §203, Jan. 3, 1975, 88 Stat. 2164; Pub. L. 94-56, §2, July 19, 1975, 89 Stat. 263; Pub. L. 96-470, title II, §209(a), Oct. 19, 1980, 94 Stat. 2245; Pub. L. 100-342, §12, June 22, 1988, 102 Stat. 630, related to annual report by Secretary of Transportation on administration of this subchapter. See section 20116 of Title 49.

Section 441, Pub. L. 91-458, title II, §212, as added Pub. L. 96-423, §10, Oct. 10, 1980, 94 Stat. 1815; amended Pub. L. 100-342, §5, June 22, 1988, 102 Stat. 627; Pub. L. 102-365, §5(b), Sept. 3, 1992, 106 Stat. 975, related to protection and rights of railroad employees. See section 20109 of Title 49.

A prior section 441, Pub. L. 91-458, title II, §212, Oct. 16, 1970, 84 Stat. 977; Pub. L. 93-90, §2, Aug. 14, 1973, 87 Stat. 305; Pub. L. 93-633, title II, §205, Jan. 3, 1975, 88 Stat. 2166; Pub. L. 94-56, §3, July 19, 1975, 89 Stat. 263; Pub. L. 94-348, §2(a), July 8, 1976, 90 Stat. 817; Pub. L. 95-574, §2, Nov. 2, 1978, 92 Stat. 2459, authorized appropriations to carry out this chapter, prior to repeal by Pub. L. 96-423, §2, Oct. 10, 1980, 94 Stat. 1811.

Section 442, Pub. L. 95-574, §3, Nov. 2, 1978, 92 Stat. 2459, related to limitations on funding for railroad research and development programs. See section 20117 of Title 49, Transportation.

Section 443, Pub. L. 91-458, title II, §213, as added Pub. L. 96-423, §11, Oct. 10, 1980, 94 Stat. 1816, related to pay classifications of railroad safety inspectors and railroad safety specialists. See section 5109(c) of Title 5, Government Organization and Employees.

Section 444, Pub. L. 91-458, title II, §214, as added Pub. L. 96-423, §2, Oct. 10, 1980, 94 Stat. 1811; amended Pub. L. 97-35, title XI, §1195, Aug. 13, 1981, 95 Stat. 702; Pub. L. 97-468, title VII, §703, Jan. 14, 1983, 96 Stat. 2580; Pub. L. 100-342, §2, June 22, 1988, 102 Stat. 624; Pub. L. 101-508, title X, §10501(b), Nov. 5, 1990, 104 Stat. 1388-400; Pub. L. 102-365, §12, Sept. 3, 1992, 106 Stat. 980, authorized appropriations to carry out this chapter. See sections 20108 and 20117 of Title 49, Transportation.

Section 445, Pub. L. 91-458, title II, §215, as added Pub. L. 100-342, §20, June 22, 1988, 102 Stat. 638, related to grade crossing demonstration projects to reduce accidents involving trains. See sections 20117 and 20134 of Title 49.

Section 446, Pub. L. 101-647, title XVII, §1704, Nov. 29, 1990, 104 Stat. 4846, related to railroad police officers. See section 28101 of Title 49.

Section 447, Pub. L. 91-458, title II, §216, as added Pub. L. 101-508, title X, §10501(a), Nov. 5, 1990, 104 Stat. 1388-399, related to railroad user fees. See section 20115 of Title 49.

## CHAPTER 14—RAIL PASSENGER SERVICE

### SUBCHAPTER I—GENERAL PROVISIONS

#### §§ 501 to 502. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section 501, Pub. L. 91-518, title I, §101, Oct. 30, 1970, 84 Stat. 1328; Pub. L. 96-73, title I, §102, Sept. 29, 1979, 93 Stat. 537; Pub. L. 97-35, title XI, §1171, Aug. 13, 1981, 95 Stat. 687, related to congressional findings on needs for cost- and energy-efficient intercity rail passenger service. See section 24101 of Title 49, Transportation.

Section 501a, Pub. L. 91-518, title I, §102, as added Pub. L. 96-73, title I, §103(a), Sept. 29, 1979, 93 Stat. 537;