

defined in section 5302(a)(6)¹ established to provide, or make a contract providing for, commuter rail passenger transportation;

(5) the term “rail carrier” means a person, other than a governmental authority, providing common carrier railroad transportation for compensation subject to the jurisdiction of the Board under chapter 105;

(6) the term “segregated fixed guideway facility” means a fixed guideway facility constructed within the railroad right-of-way of a rail carrier but physically separate from trackage, including relocated trackage, within the right-of-way used by a rail carrier for freight transportation purposes; and

(7) the term “trackage” means a railroad line of a rail carrier, including a spur, industrial, team, switching, side, yard, or station track, and a facility of a rail carrier.

(Added Pub. L. 110-432, div. B, title IV, §401(a), Oct. 16, 2008, 122 Stat. 4955.)

REFERENCES IN TEXT

Section 5302, referred to in par. (4), was amended generally by Pub. L. 112-141, div. B, §20004, July 6, 2012, 126 Stat. 623, and, as so amended, no longer contains a subsec. (a). However, the term “local governmental authority” is defined elsewhere in that section.

§ 28502. Surface Transportation Board mediation of trackage use requests

If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to use trackage of, and have related services provided by, the rail carrier for purposes of commuter rail passenger transportation, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this section.

(Added Pub. L. 110-432, div. B, title IV, §401(a), Oct. 16, 2008, 122 Stat. 4955.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in text, is the date of enactment of Pub. L. 110-432, which was approved Oct. 16, 2008.

§ 28503. Surface Transportation Board mediation of rights-of-way use requests

If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to acquire an interest in a railroad right-of-way for the construction and operation of a segregated fixed guideway facility to provide commuter rail passenger transportation, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this section.

¹ See References in Text note below.

(Added Pub. L. 110-432, div. B, title IV, §401(a), Oct. 16, 2008, 122 Stat. 4956.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in text, is the date of enactment of Pub. L. 110-432, which was approved Oct. 16, 2008.

§ 28504. Applicability of other laws

Nothing in this chapter shall be construed to limit a rail transportation provider’s right under section 28103(b) to enter into contracts that allocate financial responsibility for claims.

(Added Pub. L. 110-432, div. B, title IV, §401(a), Oct. 16, 2008, 122 Stat. 4956.)

§ 28505. Rules and regulations

Within 1 year after the date of enactment of this section, the Board shall issue such rules and regulations as may be necessary to carry out this chapter.

(Added Pub. L. 110-432, div. B, title IV, §401(a), Oct. 16, 2008, 122 Stat. 4956.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in text, is the date of enactment of Pub. L. 110-432, which was approved Oct. 16, 2008.

SUBTITLE VI—MOTOR VEHICLE AND DRIVER PROGRAMS

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AMENDMENTS

1997—Pub. L. 105-102, §2(17), Nov. 20, 1997, 111 Stat. 2205, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System” in item for chapter 305.

PART A—GENERAL

CHAPTER 301—MOTOR VEHICLE SAFETY

SUBCHAPTER I—GENERAL

Sec.	
30101.	Purpose and policy.

¹ So in original. Probably should be “31100”.