

added for clarity. The word “only” is added for clarity. See *National Railroad Passenger Corp. et al. v. National Association of Railroad Passengers*, 414 U.S. 453 (1974). In clauses (A) and (D)(i), the words “the policies and purposes of” are omitted as surplus.

In subsection (a)(2), the word “duly” is omitted as surplus.

In subsection (b), the words “in any court” are omitted as surplus.

Subsection (c) is substituted for 45:547(a) (1st sentence words between 13th–15th commas) for consistency in the revised title and with other titles of the United States Code. The text of 45:547(b) is omitted as surplus.

[§ 24104. Repealed. Pub. L. 114–94, div. A, title XI, § 11202(c)(2), Dec. 4, 2015, 129 Stat. 1630]

Section, Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 902; Pub. L. 105–134, title III, §301(a), Dec. 2, 1997, 111 Stat. 2585, authorized certain appropriations for the benefit of Amtrak.

EFFECTIVE DATE OF REPEAL

Repeal by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

REFORM BOARD

Pub. L. 105–134, title IV, §411(b), Dec. 2, 1997, 111 Stat. 2589, provided that provisions authorizing certain appropriations shall cease to be effective if the Reform Board had not assumed the responsibilities of the Board of Directors of Amtrak before July 1, 1998.

[§ 24105. Repealed. Pub. L. 114–94, div. A, title XI, § 11301(c)(2), Dec. 4, 2015, 129 Stat. 1648]

Section, Pub. L. 110–432, div. B, title III, §302(a), Oct. 16, 2008, 122 Stat. 4947, related to congestion grants.

EFFECTIVE DATE OF REPEAL

Repeal by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

CHAPTER 242—PROJECT DELIVERY

Sec.

24201. Efficient environmental reviews.
24202. Railroad rights-of-way.

AMENDMENTS

2015—Pub. L. 114–94, div. A, title XI, §§11503(a), 11504(b), Dec. 4, 2015, 129 Stat. 1691, 1693, added chapter 242 and items 24201 and 24202.

§ 24201. Efficient environmental reviews

(a) EFFICIENT ENVIRONMENTAL REVIEWS.—

(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23 to any railroad project that requires the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) REGULATIONS AND PROCEDURES.—In carrying out paragraph (1), the Secretary shall incorporate into agency regulations and procedures pertaining to railroad projects described in paragraph (1) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of railroad projects.

(3) DISCRETION.—The Secretary may choose not to incorporate into agency regulations and procedures pertaining to railroad projects described in paragraph (1) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.

(4) APPLICABILITY.—Subsection (I) of section 139 of title 23 shall apply to railroad projects described in paragraph (1), except that the limitation on claims of 150 days shall be 2 years.

(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—Not later than 6 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall—

(1) survey the use by the Federal Railroad Administration of categorical exclusions in transportation projects since 2005; and

(2) publish in the Federal Register for notice and public comment a review of the survey that includes a description of—

(A) the types of actions categorically excluded; and

(B) any actions the Secretary is considering for new categorical exclusions, including those that would conform to those of other modal administrations.

(c) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall publish a notice of proposed rulemaking to propose new and existing categorical exclusions for railroad projects that require the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including those identified under subsection (b), and develop a process for considering new categorical exclusions to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations.

(d) TRANSPARENCY.—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion on any railroad project carried out under this title.

(e) PROTECTIONS FOR EXISTING AGREEMENTS AND NEPA.—Nothing in subtitle E of the Passenger Rail Reform and Investment Act of 2015, or any amendment made by such subtitle, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, as that title was in effect on the day preceding the date of enactment of such subtitle.

(Added Pub. L. 114–94, div. A, title XI, §11503(a), Dec. 4, 2015, 129 Stat. 1691.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsecs. (a)(1) and (c), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The date of enactment of the Passenger Rail Reform and Investment Act of 2015, referred to in subsecs. (b)