

vide, and such other data and information as the Secretary considers necessary.

(2) **INSTALLMENTS; TERMINATION.**—The Secretary may—

(A) award grants under this section in installments, as the Secretary considers appropriate; and

(B) terminate any grant agreement upon—
 (i) the cessation of service; or
 (ii) the violation of any other term of the grant agreement.

(3) **GRANT CONDITIONS.**—The Secretary shall require each recipient of a grant under this section to comply with the grant requirements of section 24405.

(j) **REPORT.**—Not later than 4 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary, after consultation with grant recipients under this section, shall submit to Congress a report that describes—

- (1) the implementation of this section;
- (2) the status of the investments and operations funded by such grants;
- (3) the performance of the routes funded by such grants;
- (4) the plans of grant recipients for continued operation and funding of such routes; and
- (5) any legislative recommendations.

(Added Pub. L. 114-94, div. A, title XI, §11303(a), Dec. 4, 2015, 129 Stat. 1651.)

REFERENCES IN TEXT

Section 11304 of the Passenger Rail Reform and Investment Act of 2015, referred to in subsec. (d)(2), is section 11304 of title IX of div. A of Pub. L. 114-94, 129 Stat. 1655, which is not classified to the Code.

The date of enactment of the Passenger Rail Reform and Investment Act of 2015, referred to in subsec. (j), is the date of enactment of title XI of div. A of Pub. L. 114-94, which was approved Dec. 4, 2015.

EFFECTIVE DATE

Section 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[CHAPTER 245—REPEALED]

§§ 24501 to 24506. Repealed. Pub. L. 105-134, title I, § 106(a), Dec. 2, 1997, 111 Stat. 2573]

Section 24501, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 919; Pub. L. 103-429, §6(21), Oct. 31, 1994, 108 Stat. 4379; Pub. L. 104-88, title III, §308(h), Dec. 29, 1995, 109 Stat. 947, related to status of Amtrak Commuter and applicable laws.

Section 24502, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 920, related to board of directors of Amtrak Commuter.

Section 24503, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 921, related to appointment and service of officers of Amtrak Commuter.

Section 24504, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 921, related to general authority of Amtrak Commuter.

Section 24505, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 921, related to Amtrak's rights and responsibilities as relating to commuter rail passenger transportation.

Section 24506, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 922, provided that certain powers and duties of

Consolidated Rail Corporation were not affected by this chapter.

TRACKAGE RIGHTS NOT AFFECTED

Pub. L. 105-134, title I, §106(c), Dec. 2, 1997, 111 Stat. 2573, provided that: "The repeal of chapter 245 of title 49, United States Code, by subsection (a) of this section is without prejudice to the retention of trackage rights over property owned or leased by commuter authorities."

CHAPTER 247—AMTRAK ROUTE SYSTEM

- Sec.
- 24701. National rail passenger transportation system.
- 24702. Transportation requested by States, authorities, and other persons¹
- [24703 to 24705. Repealed.]
- 24706. Discontinuance.
- [24707, 24708. Repealed.]
- 24709. International transportation.
- 24710. Long distance routes.²
- 24711. Competitive passenger rail service pilot program.
- 24712. State-supported routes operated by Amtrak.

AMENDMENTS

2015—Pub. L. 114-94, div. A, title XI, §11307(b), Dec. 4, 2015, 129 Stat. 1664, which directed the general amendment of the analysis for section 24711 of title 49, was executed to the analysis for this chapter, to reflect the probable intent of Congress. Prior to amendment, item 24711 read as follows: "Alternate passenger rail service pilot program".

Pub. L. 114-94, div. A, title XI, §11204(b)(1), Dec. 4, 2015, 129 Stat. 1637, added item 24712.

2008—Pub. L. 110-432, div. B, title II, §§201(b)(2), 210(b), 214(c), Oct. 16, 2008, 122 Stat. 4910, 4920, 4929, added items 24702, 24710, and 24711.

1997—Pub. L. 105-134, title I, §§101(a)(2), (b), (d), (e), 103-105(a), Dec. 2, 1997, 111 Stat. 2572, 2573, substituted "National rail passenger transportation system" for "Operation of basic system" in item 24701 and struck out item 24702 "Improving rail passenger transportation", item 24703 "Route and service criteria", item 24704 "Transportation requested by States, authorities, and other persons", item 24705 "Additional qualifying routes", item 24707 "Cost and performance review", and item 24708 "Special commuter transportation".

§24701. National rail passenger transportation system

Amtrak shall operate a national rail passenger transportation system which ties together existing and emergent regional rail passenger service and other intermodal passenger service.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 923; Pub. L. 105-134, title I, §101(a)(1), Dec. 2, 1997, 111 Stat. 2572.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24701(a)	45:561(b).	Oct. 30, 1970, Pub. L. 91-518, §401(b), 84 Stat. 1335.
24701(b)	45:561(c).	Oct. 30, 1970, Pub. L. 91-518, §401(c), 84 Stat. 1335; Nov. 3, 1973, Pub. L. 93-146, §9, 87 Stat. 551.

In subsection (a), before clause (1), the text of 45:561(b) (1st sentence words after 3d comma) is omitted as obsolete because no regional transportation authority provided intercity rail passenger transportation

¹ So in original. Probably should be followed by a period.

² So in original. Does not conform to section catchline.

after May 1, 1971. The words “On May 1, 1971” and “begin” are omitted as executed. The words “between points” and “either” are omitted as surplus. In clause (2), the words “under contract with Amtrak” are substituted for 45:561(b) (last sentence) for clarity and to eliminate unnecessary words. The words “at any time subsequent to May 1, 1971” are omitted as executed.

In subsection (b), the words “concerning auto-ferry service . . . railroad or any other” are omitted as surplus.

AMENDMENTS

1997—Pub. L. 105-134 substituted section catchline for former catchline which read “Operation of basic system” and amended text generally. Prior to amendment, text read as follows:

“(a) BY AMTRAK.—Amtrak shall provide intercity rail passenger transportation within the basic system unless the transportation is provided by—

“(1) a rail carrier with which Amtrak did not make a contract under section 401(a) of the Rail Passenger Service Act; or

“(2) a regional transportation authority under contract with Amtrak.

“(b) BY OTHERS WITH CONSENT OF AMTRAK.—Except as provided in section 24306 of this title, a person may provide intercity rail passenger transportation over a route over which Amtrak provides scheduled intercity rail passenger transportation under a contract under section 401(a) of the Act only with the consent of Amtrak.”

§ 24702. Transportation requested by States, authorities, and other persons

(a) CONTRACTS FOR TRANSPORTATION.—Amtrak may enter into a contract with a State, a regional or local authority, or another person for Amtrak to operate an intercity rail service or route not included in the national rail passenger transportation system upon such terms as the parties thereto may agree.

(b) DISCONTINUANCE.—Upon termination of a contract entered into under this section, or the cessation of financial support under such a contract by either party, Amtrak may discontinue such service or route, notwithstanding any other provision of law.

(Added Pub. L. 110-432, div. B, title II, §201(b)(1), Oct. 16, 2008, 122 Stat. 4910.)

PRIOR PROVISIONS

A prior section 24702, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 923; Pub. L. 104-287, §5(48), Oct. 11, 1996, 110 Stat. 3393, related to carrying out plan to improve intercity rail passenger service prior to repeal by Pub. L. 105-134, title I, §101(b), Dec. 2, 1997, 111 Stat. 2572.

ACCESS TO AMTRAK EQUIPMENT AND SERVICES

Pub. L. 110-432, div. B, title II, §217, Oct. 16, 2008, 122 Stat. 4930, as amended by Pub. L. 114-94, div. A, title XI, §11006(b)(1), Dec. 4, 2015, 129 Stat. 1624, provided that: “If a State desires to select or selects an entity other than Amtrak to provide services required for the operation of an intercity passenger train route described in section 24102(7)(D) or 24702 of title 49, United States Code, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the State to utilize an entity other than Amtrak to provide services required for operation of the route. If the parties cannot agree upon terms, and the Surface Transportation Board finds that access to Amtrak’s facilities or equipment, or the provision of services by Amtrak, is necessary to carry out this provision and that the operation of Amtrak’s other services will not be impaired thereby, the

Surface Transportation Board shall, within 120 days after submission of the dispute, issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services. Compensation shall be determined, as appropriate, in accordance with the methodology established pursuant to section 209 of this division [49 U.S.C. 24101 note], if available.”

[[§ 24703 to 24705. Repealed. Pub. L. 105-134, title I, §§ 103-105(a), Dec. 2, 1997, 111 Stat. 2572, 2573]

Section 24703, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 924, provided route and service criteria for modifying or discontinuing routes.

Section 24704, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 925, related to application by States, regional or local authorities, or other persons requesting Amtrak to provide passenger rail service and criteria for decision.

Section 24705, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 926; Pub. L. 104-88, title III, §308(i), Dec. 29, 1995, 109 Stat. 947, related to providing service on routes recommended to be discontinued, criteria for deferring Secretary’s recommendation, and providing short haul demonstration routes.

§ 24706. Discontinuance

(a) NOTICE OF DISCONTINUANCE.—(1) Except as provided in subsection (b) of this section, at least 180 days before discontinuing service over a route, Amtrak shall give notice of the discontinuance in the way Amtrak decides will give a State, a regional or local authority, or another person the opportunity to agree to share or assume the cost of any part of the train, route, or service to be discontinued.

(2) Notice of the discontinuance under paragraph (1) shall be posted in all stations served by the train to be discontinued at least 14 days before the discontinuance.

(b) DISCONTINUANCE FOR LACK OF APPROPRIATIONS.—(1) Amtrak may discontinue service under subsection (a)(1) during—

(A) the first month of a fiscal year if the authorization of appropriations and the appropriations for Amtrak are not enacted at least 90 days before the beginning of the fiscal year; and

(B) the 30 days following enactment of an appropriation for Amtrak or a rescission of an appropriation.

(2) Amtrak shall notify each affected State or regional or local transportation authority of a discontinuance under this subsection as soon as possible after Amtrak decides to discontinue the service.

(c) APPLICABILITY.—This section applies to all service over routes provided by Amtrak, notwithstanding any provision of section 24701 of this title or any other provision of this title except section 24702(b).

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 927; Pub. L. 105-134, title I, §§101(c), 142(a), Dec. 2, 1997, 111 Stat. 2572, 2576; Pub. L. 110-432, div. B, title II, §201(d), Oct. 16, 2008, 122 Stat. 4910; Pub. L. 114-94, div. A, title XI, §11316(n)(1), Dec. 4, 2015, 129 Stat. 1678.)