

“(2) assembling rights-of-way; and  
 “(3) performing capital improvements, including—  
 “(A) the construction and rehabilitation of main-  
 tenance facilities;  
 “(B) the purchase of locomotives; and  
 “(C) operational improvements, including com-  
 munications, signals, and other systems.  
 “(b) FINANCING.—An interstate compact established  
 by States under subsection (a) may provide that, in  
 order to carry out the compact, the States may—  
 “(1) accept contributions from a unit of State or  
 local government or a person;  
 “(2) use any Federal or State funds made available  
 for intercity passenger rail service (except funds  
 made available for Amtrak);  
 “(3) on such terms and conditions as the States  
 consider advisable—  
 “(A) borrow money on a short-term basis and  
 issue notes for the borrowing; and  
 “(B) issue bonds; and  
 “(4) obtain financing by other means permitted  
 under Federal or State law.”

DEFINITION

Pub. L. 110-432, div. B, §3, Oct. 16, 2008, 122 Stat. 4908,  
 provided that: “In this division [see Short Title of 2008  
 Amendment note set out under section 20101 of this  
 title], the term ‘Secretary’ means the Secretary of  
 Transportation.”

§ 24102. Definitions

In this part—

- (1) “auto-ferry transportation” means inter-  
 city rail passenger transportation—  
 (A) of automobiles or recreational vehicles  
 and their occupants; and  
 (B) when space is available, of used unoc-  
 cupied vehicles.
- (2) “commuter authority” means a State,  
 local, or regional entity established to pro-  
 vide, or make a contract providing for, com-  
 muter rail passenger transportation.
- (3) “commuter rail passenger transpor-  
 tation” means short-haul rail passenger trans-  
 portation in metropolitan and suburban areas  
 usually having reduced fare, multiple-ride, and  
 commuter tickets and morning and evening  
 peak period operations.
- (4) “intercity rail passenger transportation”  
 means rail passenger transportation, except  
 commuter rail passenger transportation.
- (5) “long-distance route” means a route de-  
 scribed in subparagraph (C) of paragraph (7).
- (6) “National Network” includes long-dis-  
 tance routes and State-supported routes.
- (7) “national rail passenger transportation  
 system” means—  
 (A) the segment of the continuous North-  
 east Corridor railroad line between Boston,  
 Massachusetts, and Washington, District of  
 Columbia;  
 (B) rail corridors that have been des-  
 ignated by the Secretary of Transportation  
 as high-speed rail corridors (other than cor-  
 ridors described in subparagraph (A)), but  
 only after regularly scheduled intercity  
 service over a corridor has been established;  
 (C) long-distance routes of more than 750  
 miles between endpoints operated by Am-  
 trak as of the date of enactment of the Pas-  
 senger Rail Investment and Improvement  
 Act of 2008; and  
 (D) short-distance corridors, or routes of  
 not more than 750 miles between endpoints,  
 operated by—

- (i) Amtrak; or
- (ii) another rail carrier that receives  
 funds under chapter 229.
- (8) “Northeast Corridor” means Connecticut,  
 Delaware, the District of Columbia, Maryland,  
 Massachusetts, New Jersey, New York, Penn-  
 sylvania, and Rhode Island.
- (9) “rail carrier” means a person, including  
 a unit of State or local government, providing  
 rail transportation for compensation.
- (10) “rate” means a rate, fare, or charge for  
 rail transportation.
- (11) “regional transportation authority”  
 means an entity established to provide pas-  
 senger transportation in a region.
- (12) “state-of-good-repair” means a condi-  
 tion in which physical assets, both individ-  
 ually and as a system, are—  
 (A) performing at a level at least equal to  
 that called for in their as-built or as-modi-  
 fied design specification during any period  
 when the life cycle cost of maintaining the  
 assets is lower than the cost of replacing  
 them; and  
 (B) sustained through regular maintenance  
 and replacement programs.
- (13) “State-supported route” means a route  
 described in subparagraph (B) or (D) of para-  
 graph (7), or in section 24702, that is operated  
 by Amtrak, excluding those trains operated by  
 Amtrak on the routes described in paragraph  
 (7)(A).

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 900;  
 Pub. L. 105-134, title IV, §407, Dec. 2, 1997, 111  
 Stat. 2586; Pub. L. 110-432, div. B, title II, §201(a),  
 Oct. 16, 2008, 122 Stat. 4909; Pub. L. 114-94, div. A,  
 title XI, §11006(a), Dec. 4, 2015, 129 Stat. 1624;  
 Pub. L. 115-420, §7(b)(3)(A)(i)(I), Jan. 3, 2019, 132  
 Stat. 5446.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24102(1) .....	45:502(1).	Oct. 30, 1970, Pub. L. 91-518, §103(1), 84 Stat. 1328; re- stated Sept. 29, 1979, Pub. L. 96-73, §§ 103(a), 104, 93 Stat. 537, 538.
	45:502(2).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §103(2); added Aug. 13, 1981, Pub. L. 97-35, §1173(2), 95 Stat. 689.
	45:502(3).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §103(3); added Nov. 3, 1973, Pub. L. 93-146, §2(2), 87 Stat. 548; restated Sept. 29, 1979, Pub. L. 96-73, §§ 103(a), 104, 93 Stat. 537, 538; Aug. 13, 1981, Pub. L. 97-35, §1173(1), 95 Stat. 689; Apr. 7, 1986, Pub. L. 99-272, §4012, 100 Stat. 109.
	45:502(6), (7), (10), (12), (14), (18).	Oct. 30, 1970, Pub. L. 91-518, §103(4)-(7), (10), (12), (14)-(18), 84 Stat. 1328; re- stated Sept. 29, 1979, Pub. L. 96-73, §§ 103(a), 104, 93 Stat. 537, 538, 539; Aug. 13, 1981, Pub. L. 97-35, §1173(1), 95 Stat. 689; Oct. 27, 1992, Pub. L. 102-533, §8(1), 106 Stat. 3519.
24102(2) .....	45:502(4).	
24102(3) .....	45:502(5).	
24102(4) .....	45:502(8).	
24102(5) .....	45:502(9).	

## HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24102(6) .....	45:502(11).	Oct. 30, 1970, Pub. L. 91-518, §103(11), 84 Stat. 1328; Nov. 3, 1973, Pub. L. 93-146, §2(1), 87 Stat. 548; restated Sept. 29, 1979, Pub. L. 96-73, §§ 103(a), 104, 93 Stat. 537, 539; Aug. 13, 1981, Pub. L. 97-35, §1173(1), (4), 95 Stat. 689.
24102(7) .....	45:502(13).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §103(13); added Oct. 27, 1992, Pub. L. 102-533, §8(2), 106 Stat. 3519.
	45:851(c).	Feb. 5, 1976, Pub. L. 94-210, §701(c), 90 Stat. 120.
24102(8) .....	45:502(14).	
24102(9) .....	(no source).	
24102(10) .....	45:502(15).	
24102(11) .....	45:502(16).	

In clause (1), before subclause (A), the text of 45:502(1), (2), and (10) is omitted as surplus. The text of 45:502(6), (7), (12), (14), and (18) is omitted because the complete names of the Performance Evaluation Center, Interstate Commerce Commission, Railroad Safety System Program, Technical Assistance Panel, and Secretary of Transportation are used the first time the terms appear in a section. The words “characterized by transportation” are omitted as surplus.

In clause (3), the text of 45:502(5)(A) and the words “on and after October 1, 1979” are omitted as obsolete. Reference to 45:564(e) is omitted as obsolete because 45:564(e) was repealed by section 1183(d) of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 697).

In clauses (4) and (10), the words “authority, corporation, or other” are omitted as surplus.

In clause (4), the words “and includes the Metropolitan Transportation Authority, the Connecticut Department of Transportation, the Maryland Department of Transportation the Southeastern Pennsylvania Transportation Authority, the New Jersey Transit Corporation, the Massachusetts Bay Transportation Authority, the Port Authority Trans-Hudson Corporation, any successor agencies, and any entity created by one or more such agencies for the purpose of operating” are omitted as surplus.

In clause (5), the words “whether within or across the geographical boundaries of a State” are omitted as surplus.

Clause (9) is added to eliminate repetition of the words “fares or charges” throughout this part.

## REFERENCES IN TEXT

The date of enactment of the Passenger Rail Investment and Improvement Act of 2008, referred to in par. (7)(C), is the date of enactment of div. B of Pub. L. 110-432, which was approved Oct. 16, 2008.

## AMENDMENTS

2019—Par. (7)(D)(ii). Pub. L. 115-420 substituted “chapter 229” for “chapter 244”.

2015—Pars. (5) to (13). Pub. L. 114-94 added pars. (5), (6), (12), and (13) and redesignated former pars. (5) to (9) as (7) to (11), respectively.

2008—Pars. (2) to (5). Pub. L. 110-432 added par. (5), redesignated former pars. (3) to (5) as (2) to (4), respectively, and struck out former par. (2) which read as follows: “‘basic system’ means the system of intercity rail passenger transportation designated by the Secretary of Transportation under section 4 of the Amtrak Improvement Act of 1978 and approved by Congress, and transportation required to be provided under section 24705(a) of this title and section 4(g) of the Act, including changes in the system or transportation that Amtrak makes using the route and service criteria.”

1997—Pars. (2) to (6). Pub. L. 105-134, §407(1), (2), redesignated pars. (3) to (7) as (2) to (6), respectively, and struck out former par. (2) which read as follows:

“‘avoidable loss’ means the avoidable costs of providing rail passenger transportation, less revenue attributable to the transportation, as determined by the Interstate Commerce Commission under section 553 of title 5.”

Par. (7). Pub. L. 105-134, §407(2), (3), redesignated par. (8) as (7) and inserted “, including a unit of State or local government,” after “means a person”. Former par. (7) redesignated (6).

Pars. (8) to (10). Pub. L. 105-134, §407(2), redesignated pars. (8) to (10) as (7) to (9), respectively.

Par. (11). Pub. L. 105-134, §407(1), struck out par. (11) which read as follows: “‘route and service criteria’ means the criteria and procedures for making route and service decisions established under section 404(c)(1)–(3)(A) of the Rail Passenger Service Act.”

## EFFECTIVE DATE OF 2015 AMENDMENT

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

## § 24103. Enforcement

(a) GENERAL.—(1) Except as provided in paragraph (2) of this subsection, only the Attorney General may bring a civil action for equitable relief in a district court of the United States when Amtrak or a rail carrier—

(A) engages in or adheres to an action, practice, or policy inconsistent with this part or chapter 229;

(B) obstructs or interferes with an activity authorized under this part or chapter 229;

(C) refuses, fails, or neglects to discharge its duties and responsibilities under this part or chapter 229; or

(D) threatens—

(i) to engage in or adhere to an action, practice, or policy inconsistent with this part or chapter 229;

(ii) to obstruct or interfere with an activity authorized by this part or chapter 229; or

(iii) to refuse, fail, or neglect to discharge its duties and responsibilities under this part or chapter 229.

(2) An employee affected by any conduct or threat referred to in paragraph (1) of this subsection, or an authorized employee representative, may bring the civil action if the conduct or threat involves a labor agreement.

(b) REVIEW OF DISCONTINUANCE OR REDUCTION.—A discontinuance of a route, a train, or transportation, or a reduction in the frequency of transportation, by Amtrak is reviewable only in a civil action for equitable relief brought by the Attorney General.

(c) VENUE.—Except as otherwise prohibited by law, a civil action under this section may be brought in the judicial district in which Amtrak or the rail carrier resides or is found.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 901; Pub. L. 115-420, §7(b)(3)(A)(i)(II), Jan. 3, 2019, 132 Stat. 5447.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24103(a) .....	45:547(a) (1st sentence less words between 13th–15th commas).	Oct. 30, 1970, Pub. L. 91-518, §307(a) (1st sentence), (b), 84 Stat. 1333.