

**§ 24304. Employee stock ownership plans**

In issuing stock pursuant to applicable corporate law, Amtrak is encouraged to include employee stock ownership plans.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 908; Pub. L. 105-134, title IV, §415(a)(1), Dec. 2, 1997, 111 Stat. 2590.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24304(a) .....	45:544(a) (1st sentence, last sentence words before (A), (A) (1st sentence), (B)(1) (1st sentence)).	Oct. 30, 1970, Pub. L. 91-518, §304(a), 84 Stat. 1331; Aug. 13, 1981, Pub. L. 97-35, §1175(1), (2), 95 Stat. 691.
24304(b) .....	45:544(a) (2d sentence). 45:544(b).	Oct. 30, 1970, Pub. L. 91-518, §304(b), 84 Stat. 1332; Oct. 28, 1974, Pub. L. 93-496, §2, 88 Stat. 1526.
24304(c) .....	45:544(a) (last sentence words before (A), (A) (last sentence), (B)(1) (last sentence), (ii), (iii)).	
24304(d)(1) ..	45:544(c)(1), (2).	Oct. 30, 1970, Pub. L. 91-518, §304(c)(1), (2), 84 Stat. 1332; restated Aug. 13, 1981, Pub. L. 97-35, §1175(3), 95 Stat. 691.
24304(d)(2) ..	45:544(c)(3).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §304(c)(3); added Apr. 7, 1986, Pub. L. 99-272, §4003, 100 Stat. 107.
24304(d)(3) ..	45:544(c)(4).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §304(c)(4); added Oct. 27, 1992, Pub. L. 102-533, §5, 106 Stat. 3517.
24304(e) .....	45:544(e)(2).	Oct. 30, 1970, Pub. L. 91-518, §304(d), (e), 84 Stat. 1332; restated Aug. 13, 1981, Pub. L. 97-35, §1175(4), 95 Stat. 691.
24304(f) .....	45:544(d).	
24304(g) .....	45:544(e)(1).	

In subsection (a), before clause (1), the words “issue and” are omitted because they are included in “have outstanding”. The words “in such amounts as it shall determine” are omitted as surplus. The words “one issue of common stock and one issue of preferred stock” are substituted for “two issues of capital stock, a common and a preferred” for clarity. In clause (1), the word “designated” is omitted as surplus.

In subsection (b)(1)(A), the words “may not hold” are substituted for “may be issued and held only by any person other than” to eliminate unnecessary words.

In subsections (b)(1)(B) and (c), the words “as defined in section 10102(6) of title 49” are omitted because of the definition of “rail carrier” in section 24102 of the revised title.

In subsection (b)(1)(B), the words “after the initial issue is completed” are omitted as executed. The words “single” and “directly or indirectly through subsidiaries or affiliated companies, nominees, or any person subject to its direction or control” are omitted as surplus. The words “may vote not more than one-third of the total number of shares of outstanding common stock of Amtrak” are substituted for “At no time . . . shall the aggregate of the shares of common stock of the Corporation voted by . . . exceed 33⅓ per centum of such shares issued and outstanding” to eliminate unnecessary words.

In subsection (b)(2), the words “Additional common stock” are substituted for “a number of shares in excess of 33⅓ per centum of the total number of common shares issued and outstanding, such excess number” to eliminate unnecessary words. The words “issued and” are omitted because they are included in “outstanding”.

Subsection (c)(1) is substituted for “Dividends shall be fixed at a rate not less than 6 per centum per annum,

and shall be cumulative” to eliminate unnecessary words.

In subsection (c)(2), the text of 45:544(a) (last sentence) (A) (last sentence) and the words “for any dividend period” and “at the rate fixed in the articles of incorporation” are omitted as surplus.

In subsection (c)(3), the words “holders of preferred stock” are substituted for “preferred stockholders”, and the words “holders of common stock” are substituted for “common stockholders”, for consistency in this chapter.

In subsection (c)(4), the words “at such time and upon such terms as the articles of incorporation shall provide” are omitted as surplus.

In subsection (d)(1), the text of 45:544(c)(1) and the words “Commencing on October 1, 1981” are omitted as executed. The words “and in consideration of receiving further Federal financial assistance”, “of the United States Government”, “additional”, and “of funds” are omitted as surplus.

In subsection (d)(3), the words “required to be issued” are omitted as surplus.

Subsection (e) is substituted for 45:544(e)(2) to eliminate unnecessary words.

In subsection (f), the words “in addition to the stock authorized by subsection (a) of this section”, “securities, bonds, debentures, notes, and other”, and “as it may determine” are omitted as surplus.

Subsection (g) is substituted for 45:544(e)(1) to eliminate unnecessary words.

**Editorial Notes**

## AMENDMENTS

1997—Pub. L. 105-134 amended section catchline and text generally, substituting provisions relating to employee stock ownership plans for provisions relating to capitalization of Amtrak.

**Statutory Notes and Related Subsidiaries**

## AMTRAK STOCK

Pub. L. 105-134, title IV, §415(b), (c), Dec. 2, 1997, 111 Stat. 2590, provided that Amtrak was to redeem all common stock previously issued for the fair market value of such stock before Oct. 1, 2002, and that the preferred stock of Amtrak held by the Secretary of Transportation would confer no liquidation preference, effective 90 days after Dec. 2, 1997, and confer no voting rights, effective 60 days after Dec. 2, 1997.

**§ 24305. General authority**

(a) ACQUISITION AND OPERATION OF EQUIPMENT AND FACILITIES.—(1) Amtrak may acquire, operate, maintain, and make contracts for the operation and maintenance of equipment and facilities necessary for intercity and commuter rail passenger transportation, the transportation of mail and express, and auto-ferry transportation.

(2) Amtrak shall operate and control directly, to the extent practicable, all aspects of the rail passenger transportation it provides.

(3)(A) Except as provided in subsection (d)(2), Amtrak may enter into a contract with a motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes only—

(i) if the motor carrier is not a public recipient of governmental assistance, as such term is defined in section 13902(b)(8)(A) of this title, other than a recipient of funds under section 5311 of this title;

(ii) for passengers who have had prior movement by rail or will have subsequent movement by rail; and

(iii) if the buses, when used in the provision of such transportation, are used exclusively for the transportation of passengers described in clause (ii).

(B) Subparagraph (A) shall not apply to transportation funded predominantly by a State or local government, or to ticket selling agreements.

(b) MAINTENANCE AND REHABILITATION.—Amtrak may maintain and rehabilitate rail passenger equipment and shall maintain a regional maintenance plan that includes—

(1) a review panel at the principal office of Amtrak consisting of members the President of Amtrak designates;

(2) a systemwide inventory of spare equipment parts in each operational region;

(3) enough maintenance employees for cars and locomotives in each region;

(4) a systematic preventive maintenance program;

(5) periodic evaluations of maintenance costs, time lags, and parts shortages and corrective actions; and

(6) other elements or activities Amtrak considers appropriate.

(c) MISCELLANEOUS AUTHORITY.—Amtrak may—

(1) make and carry out appropriate agreements;

(2) transport mail and express and shall use all feasible methods to obtain the bulk mail business of the United States Postal Service;

(3) improve its reservation system and advertising;

(4) provide food and beverage services on its trains;

(5) conduct research, development, and demonstration programs related to the mission of Amtrak; and

(6) buy or lease rail rolling stock and develop and demonstrate improved rolling stock.

(d) THROUGH ROUTES AND JOINT FARES.—(1) Establishing through routes and joint fares between Amtrak and other intercity rail passenger carriers and motor carriers of passengers is consistent with the public interest and the transportation policy of the United States. Congress encourages establishing those routes and fares.

(2) Amtrak may establish through routes and joint fares with any domestic or international motor carrier, air carrier, or water carrier.

(3) Congress encourages Amtrak and motor common carriers of passengers to use the authority conferred in sections 11322 and 14302 of this title for the purpose of providing improved service to the public and economy of operation.

(e) RAIL POLICE.—Amtrak may directly employ or contract with rail police to provide security for rail passengers and property of Amtrak. Rail police directly employed by or contracted by Amtrak who have complied with a State law establishing requirements applicable to rail police or individuals employed in a similar position may be directly employed or contracted without regard to the law of another State containing those requirements.

(f) DOMESTIC BUYING PREFERENCES.—(1) In this subsection, “United States” means the States, territories, and possessions of the United States and the District of Columbia.

(2) Amtrak shall buy only—

(A) unmanufactured articles, material, and supplies mined or produced in the United States; or

(B) manufactured articles, material, and supplies manufactured in the United States substantially from articles, material, and supplies mined, produced, or manufactured in the United States.

(3) Paragraph (2) of this subsection applies only when the cost of those articles, material, or supplies bought is at least \$1,000,000.

(4) On application of Amtrak, the Secretary of Transportation may exempt Amtrak from this subsection if the Secretary decides that—

(A) for particular articles, material, or supplies—

(i) the requirements of paragraph (2) of this subsection are inconsistent with the public interest;

(ii) the cost of imposing those requirements is unreasonable; or

(iii) the articles, material, or supplies, or the articles, material, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality; or

(B) rolling stock or power train equipment cannot be bought and delivered in the United States within a reasonable time.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 909; Pub. L. 105-134, title I, §107, Dec. 2, 1997, 111 Stat. 2573; Pub. L. 114-94, div. A, title XI, §11412(c)(1), Dec. 4, 2015, 129 Stat. 1688; Pub. L. 117-58, div. B, title II, §22208(a), Nov. 15, 2021, 135 Stat. 706.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24305(a)(1) ..	45:545(a) (1st sentence 1st–32d words, words after last semicolon).	Oct. 30, 1970, Pub. L. 91-518, §305(a) (1st, 2d sentences), 84 Stat. 1332; June 22, 1972, Pub. L. 92-316, §2(1), (2), 86 Stat. 228; Nov. 3, 1973, Pub. L. 93-146, §4, 87 Stat. 549; Aug. 13, 1981, Pub. L. 97-35, §1188(b), 95 Stat. 699.
	45:545(b) (4th sentence).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §305(b) (4th sentence); added June 22, 1972, Pub. L. 92-316, §2(3), 86 Stat. 228; Nov. 3, 1973, Pub. L. 93-146, §5, 87 Stat. 550.
	45:545(e)(5).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §305(e)(1)–(6); added Nov. 3, 1973, Pub. L. 93-146, §6, 87 Stat. 551.
24305(a)(2) ..	45:545(a) (2d sentence).	
24305(b) .....	45:545(e)(2). 45:545(g).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §305(g); added Oct. 28, 1974, Pub. L. 93-496, §3, 88 Stat. 1527; restated Sept. 29, 1979, Pub. L. 96-73, §§106, 107, 93 Stat. 539, 540.
24305(c)(1) ..	45:851(a)(2).	Feb. 5, 1976, Pub. L. 94-210, §701(a)(2), 90 Stat. 119.
24305(c)(2) ..	45:545(a) (1st sentence 33d word–1st semicolon). 45:545a.	Oct. 5, 1978, Pub. L. 95-421, §19, 92 Stat. 930.
24305(c)(3) ..	45:545(e)(1).	
24305(c)(4) ..	45:545(n).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §305(n); added Aug. 13, 1981, Pub. L. 97-35, §1177(a), 95 Stat. 692.

## HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
24305(c)(5) ..	45:545(a) (1st sentence words between 1st and last semicolons), (e)(3).	
24305(c)(6) .. 24305(d) .....	45:545(e)(4), (6). 45:546(j).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, § 306(j); added Oct. 19, 1976, Pub. L. 94-555, § 106, 90 Stat. 2615; Sept. 29, 1979, Pub. L. 96-73, § 112(b), 93 Stat. 541.
24305(e) .....	45:545(j).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, § 305(j); added Oct. 19, 1976, Pub. L. 94-555, § 104, 90 Stat. 2615; Sept. 29, 1979, Pub. L. 96-73, §§ 106, 108, 93 Stat. 539, 540.
24305(f) .....	45:545(k).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, § 305(k); added Oct. 5, 1978, Pub. L. 95-421, § 10, 92 Stat. 928; Sept. 29, 1979, Pub. L. 96-73, §§ 106, 109, 93 Stat. 539, 540.

In subsection (a)(1), the text of 45:545(e)(5) is omitted as obsolete. The words “acquire, operate, maintain, and make contracts for the operation and maintenance of” are substituted for “own, manage, operate, or contract for the operation of”, “acquire by construction, purchase, or gift, or to contract for the use of”, “acquire, lease, modify, or develop”, and “or to enter into contracts for the provision of such service” to eliminate unnecessary words. The word “physical” is omitted as surplus. The words “intercity and commuter trains” are omitted as being included in “equipment”. The words “the transportation of mail and express” are substituted for “mail, express . . . service” for consistency in this chapter.

In subsection (b), before clause (1), the words “service” and “repair” are omitted as surplus. The words “not later than January 1, 1980” are omitted as executed. In clause (1), the words “principal office of Amtrak” are substituted for “corporate headquarters” for clarity and consistency. In clauses (3) and (4), the words “establishment of” are omitted as executed.

In subsection (c)(1), the words “contracts and” and “necessary or . . . in the conduct of its functions” are omitted as surplus.

In subsection (c)(2), the words “on such trains” in 45:545(a), and the words “including taking into account the needs of the United States Postal Service in establishing schedules” and “and service” in 45:545a, are omitted as surplus.

In subsection (c)(4), the text of 45:545(n) (1st sentence) and the words “Beginning October 1, 1982” are omitted as executed.

In subsection (d)(1), the words “rail passenger carriers” are substituted for “common carriers of passengers by rail” for consistency in the revised title. The words “establishing those routes and fares” are substituted for “the making of such arrangements” for clarity.

In subsection (e), the words “and protection” and “licensing, residency, or related” are omitted as surplus.

In subsection (f)(1), the words “several” and “the Commonwealth of Puerto Rico” are omitted as surplus.

In subsection (f)(2), the words “Except as provided in paragraph (2) or (3) of this subsection”, “which have been”, “all”, and “as the case may be” are omitted as surplus.

In subsection (f)(3), the text of 45:545(k)(4)(B) is omitted as executed.

In subsection (f)(4)(A) and (B), the words “the purchase of” are omitted as surplus.

In subsection (f)(4)(A)(i), the words “imposing” and “with respect to such articles, materials, and supplies” are omitted as surplus.

## Editorial Notes

## AMENDMENTS

2021—Subsec. (c)(4). Pub. L. 117-58 struck out “only if revenues from the services each year at least equal the cost of providing the services” after “on its trains”.

2015—Subsec. (e). Pub. L. 114-94 substituted “may directly employ or contract with” for “may employ”, “directly employed by or contracted by” for “employed by”, and “directly employed or contracted without” for “employed without”.

1997—Subsec. (a)(3). Pub. L. 105-134, § 107(a), added par. (3).

Subsec. (d)(3). Pub. L. 105-134, § 107(b), added par. (3).

## Statutory Notes and Related Subsidiaries

## 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.

## LOCAL PRODUCTS AND PROMOTIONAL EVENTS

Pub. L. 114-94, div. A, title XI, § 11209, Dec. 4, 2015, 129 Stat. 1640, provided that:

“(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act [Dec. 4, 2015], Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—

“(1) onboard purchase and sale of local food and beverage products; and

“(2) partnerships with local entities to hold promotional events on trains or in stations.

“(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall—

“(1) allow a State or States to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;

“(2) allow a State or States to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and

“(3) provide a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

“(c) PROGRAM ADMINISTRATION.—The pilot program shall—

“(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

“(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

“(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

“(d) REPORT.—Not later than 4 years after the date of enactment of this Act, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs and include any plan for future action.

“(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting Amtrak’s ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 [div. B of Pub. L. 110-432] (49 U.S.C. 24308 note).”

AMTRAK PILOT PROGRAM FOR PASSENGERS  
TRANSPORTING DOMESTICATED CATS AND DOGS

Pub. L. 114-94, div. A, title XI, §11210, Dec. 4, 2015, 129 Stat. 1641, provided that:

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Dec. 4, 2015], Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

“(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—

“(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

“(A) the cat or dog is contained in a pet kennel;

“(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

“(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(7) of title 49, United States Code; and

“(D) the passenger pays a fee described in paragraph (3);

“(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

“(A) the cat or dog is contained in a pet kennel;

“(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

“(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(7) of title 49, United States Code;

“(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

“(E) the passenger pays a fee described in paragraph (3); and

“(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

“(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

“(d) LIMITATION ON STATUTORY CONSTRUCTION.—

“(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

“(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.

“(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.”

RIGHT-OF-WAY LEVERAGING

Pub. L. 114-94, div. A, title XI, §11211, Dec. 4, 2015, 129 Stat. 1641, provided that:

“(a) REQUEST FOR PROPOSALS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Dec. 4, 2015], Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

“(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way

and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

“(3) DEADLINE.—Amtrak shall set a deadline for the submission of proposals that is not later than 1 year after the issuance of the Request for Proposals under paragraph (1).

“(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days after the deadline for the receipt of proposals under subsection (a), the Amtrak Board of Directors shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

“(c) REPORT.—Not later than 1 year after the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by the Amtrak Board of Directors.

“(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak’s ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak’s ability to enter into agreements with other parties to utilize such assets.”

STATION DEVELOPMENT

Pub. L. 114-94, div. A, title XI, §11212, Dec. 4, 2015, 129 Stat. 1642, provided that:

“(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of enactment of this Act [Dec. 4, 2015], Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

“(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

“(A) improving station condition, functionality, capacity, and customer amenities;

“(B) generating additional investment capital and development-related revenue streams;

“(C) increasing ridership and revenue; and

“(D) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

“(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

“(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is submitted under subsection (a), Amtrak shall issue a Request for Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

“(c) PROPOSALS.—

“(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (b), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

“(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals is

issued under paragraph (1), the Amtrak Board of Directors shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

“(d) REPORT.—Not later than 4 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

“(e) DEFINITIONS.—In this section, the terms ‘small business concern’, ‘socially and economically disadvantaged individual’, and ‘veteran-owned small business’ have the meanings given the terms in section 11310(c) of this Act [129 Stat. 1670].

“(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak’s ability to develop its stations, terminals, or other assets, to constrain Amtrak’s ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.”

#### AMTRAK SECURITY EVALUATION AND DEVELOPMENT OF PROCEDURES FOR FIREARM STORAGE AND CARRIAGE IN CHECKED BAGGAGE CARS AND STATIONS

Pub. L. 111–117, div. A, title I, §159, Dec. 16, 2009, 123 Stat. 3061, as amended by Pub. L. 111–212, title III, §3009, July 29, 2010, 124 Stat. 2340, provided that:

“(a) AMTRAK SECURITY EVALUATION.—No later than 180 days after the enactment of this Act [Dec. 16, 2009], Amtrak, in consultation with the Assistant Secretary of Homeland Security (Transportation Security Administration), shall submit a report to Congress that contains—

“(1) a comprehensive, system-wide, security evaluation; and

“(2) proposed guidance and procedures necessary to implement a new checked firearms program.

#### “(b) DEVELOPEMENT AND IMPLEMENTATION OF GUIDANCE AND PROCEDURES.—

“(1) IN GENERAL.—Not later than one year after the enactment of this Act [Dec. 16, 2009], Amtrak, in consultation with the Assistant Secretary, shall develop and implement guidance and procedures to carry out the duties and responsibilities of firearm storage and carriage in checked baggage cars and at Amtrak stations that accept checked baggage.

“(2) SCOPE.—The guidance and procedures developed under paragraph (1) shall—

“(A) permit Amtrak passengers holding a ticket for a specific Amtrak route to place an unloaded firearm or starter pistol in a checked bag on such route if—

“(i) the Amtrak station accepts checked baggage for such route;

“(ii) the passenger declares to Amtrak, either orally or in writing, at the time the reservation is made or not later than 24 hours before departure, that the firearm will be placed in his or her bag and will be unloaded;

“(iii) the firearm is in a hard-sided container;

“(iv) such container is locked; and

“(v) only the passenger has the key or combination for such container;

“(B) permit Amtrak passengers holding a ticket for a specific Amtrak route to place small arms ammunition for personal use in a checked bag on such route if the ammunition is securely packed—

“(i) in fiber, wood, or metal boxes; or

“(ii) in other packaging specifically designed to carry small amounts of ammunition; and

“(C) include any other measures needed to ensure the safety and security of Amtrak employees, passengers, and infrastructure, including—

“(i) requiring inspections of any container containing a firearm or ammunition; and

“(ii) the temporary suspension of firearm carriage service if credible intelligence information indicates a threat related to the national rail system or specific routes or trains.

#### “(c) DEFINITIONS.—

“(1) [sic] For purposes of this section, the term ‘checked baggage’ refers to baggage transported that is accessible only to select Amtrak employees.”

#### GENERAL SERVICES ADMINISTRATION SERVICES

Pub. L. 110–432, div. B, title II, §218(b), Oct. 16, 2008, 122 Stat. 4930, provided that: “Amtrak may obtain from the Administrator of General Services, and the Administrator may provide to Amtrak, services under sections 502(a) and 602 of title 40, United States Code.”

Pub. L. 106–554, §1(a)(4) [div. A, §1110], Dec. 21, 2000, 114 Stat. 2763, 2763A–202, provided that: “Amtrak is authorized to obtain services from the Administrator of General Services, and the Administrator is authorized to provide services to Amtrak, under sections 201(b) and 211(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(b) and 491(b)) [now 40 U.S.C. 502, 602, 603(a)(1)] for fiscal year 2001 and each fiscal year thereafter until the fiscal year that Amtrak operates without Federal operating grant funds approved for its benefit, as required by sections 24101(d) and [former] 24104(a) of title 49, United States Code.”

#### RAIL AND MOTOR CARRIER PASSENGER SERVICE

Pub. L. 105–134, title I, §108, Dec. 2, 1997, 111 Stat. 2574, provided that:

“(a) IN GENERAL.—Notwithstanding any other provision of law (other than section 24305(a)(3) of title 49, United States Code), Amtrak and motor carriers of passengers are authorized—

“(1) to combine or package their respective services and facilities to the public as a means of increasing revenues; and

“(2) to coordinate schedules, routes, rates, reservations, and ticketing to provide for enhanced intermodal surface transportation.

“(b) REVIEW.—The authority granted by subsection (a) is subject to review by the Surface Transportation Board and may be modified or revoked by the Board if modification or revocation is in the public interest.”

#### EDUCATIONAL PARTICIPATION

Pub. L. 105–134, title IV, §412, Dec. 2, 1997, 111 Stat. 2589, provided that: “Amtrak shall participate in educational efforts with elementary and secondary schools to inform students on the advantages of rail travel and the need for rail safety.”

### § 24306. Mail, express, and auto-ferry transportation

(a) ACTIONS TO INCREASE REVENUES.—Amtrak shall take necessary action to increase its revenues from the transportation of mail and express. To increase its revenues, Amtrak may provide auto-ferry transportation as part of the basic passenger transportation authorized by this part.

(b) AUTHORITY OF OTHERS TO PROVIDE AUTO-FERRY TRANSPORTATION.—State and local laws and regulations that impair the provision of auto-ferry transportation do not apply to Amtrak or a rail carrier providing auto-ferry transportation. A rail carrier may not refuse to participate with Amtrak in providing auto-ferry transportation because a State or local law or regulation makes the transportation unlawful.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 910; Pub. L. 105–134, title I, §102, Dec. 2, 1997, 111 Stat. 2572.)