

Subsec. (c)(3)(A)(i). Pub. L. 117-58, § 22207(a)(4)(D)(iv)(I), substituted “service” for “business” in two places and inserted “line” after “asset” in two places and “and” at end.

Subsec. (c)(3)(A)(ii). Pub. L. 117-58, § 22207(a)(4)(D)(iv)(II), inserted “consult with the Secretary of Transportation in the development of asset line plans and,” before “as applicable” and “line” after “5-year asset”.

Subsec. (c)(3)(B). Pub. L. 117-58, § 22207(a)(4)(D)(v), (vi), redesignated subpar. (C) as (B) and substituted “line” for “category”.

Subsec. (c)(4), (5). Pub. L. 117-58, § 22207(a)(4)(F), (G), added par. (4) and redesignated former par. (4) as (5). Former par. (5) redesignated (6).

Subsec. (c)(5)(A). Pub. L. 117-58, § 22207(a)(4)(G), inserted “, but shall not include corporate services (as defined pursuant to section 24317(b))” after “national assets”.

Subsec. (c)(6). Pub. L. 117-58, § 22207(a)(4)(E), redesignated par. (5) as (6). Former par. (6) redesignated (7).

Subsec. (c)(7). Pub. L. 117-58, § 22207(a)(4)(E), (H), redesignated par. (6) as (7) and substituted “paragraph (5)” for “paragraph (4)”. Former par. (7) redesignated (8).

Subsec. (c)(8). Pub. L. 117-58, § 22207(a)(4)(E), redesignated par. (7) as (8).

Statutory Notes and Related Subsidiaries

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.

Pub. L. 114-94, div. A, title XI, § 11203(b), Dec. 4, 2015, 129 Stat. 1634, as amended by Pub. L. 117-58, div. B, title II, § 22207(c), Nov. 15, 2021, 135 Stat. 706, provided that: “The requirement for Amtrak to submit 5-year service line plans under section 24320(a)(1) of title 49, United States Code, shall take effect on February 15, 2017, the due date of the first service line plans. The requirement for Amtrak to submit 5-year asset line plans under section 24320(a)(1) of such title shall take effect on February 15, 2019, the due date of the first asset line plans.”

ELIMINATION OF DUPLICATIVE REPORTING

Pub. L. 114-94, div. A, title XI, § 11215, Dec. 4, 2015, 129 Stat. 1644, provided that: “Not later than 1 year after the date of enactment of this Act [Dec. 4, 2015], the Secretary [of Transportation] shall—

“(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and asset plans required by section 24320 of title 49, United States Code, or any other planning or reporting requirements under Federal law or regulation;

“(2) if the duplicative requirements identified under paragraph (1) are administrative, eliminate such requirements; and

“(3) submit to Congress a report with any recommendations for repealing any other duplicative requirements.”

§ 24321. Food and beverage service

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, Amtrak shall establish a working group to provide recommendations to improve Amtrak’s onboard food and beverage service.

(2) MEMBERSHIP.—The working group shall consist of individuals representing—

(A) Amtrak;

(B) the labor organizations representing Amtrak employees who prepare or provide on-board food and beverage service;

(C) nonprofit organizations representing Amtrak passengers; and

(D) States that are providing funding for State-supported routes.

(b) REPORT.—Not later than 1 year after the establishment of the working group pursuant to subsection (a), the working group 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 containing recommendations for improving Amtrak’s food and beverage service, including—

(1) ways to improve the financial performance of Amtrak;

(2) ways to increase and retain ridership;

(3) the differing needs of passengers traveling on long-distance routes, State supported routes, and the Northeast Corridor;

(4) Amtrak passenger survey data about the food and beverages offered on Amtrak trains;

(5) ways to incorporate local food and beverage items on State-supported routes; and

(6) any other issue that the working group determines to be appropriate.

(c) IMPLEMENTATION.—Not later than 180 days after the submission of the report pursuant to subsection (b), Amtrak shall submit a plan for implementing the recommendations of the working group, and an explanation for any of the working group’s recommendations it does not agree with and does not plan on implementing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee who held a position on a long-distance or Northeast Corridor route as of the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, is involuntarily separated because of the development and implementation of the plan required under this section.

(Added Pub. L. 114-94, div. A, title XI, § 11207(a), Dec. 4, 2015, 129 Stat. 1638; amended Pub. L. 116-159, div. B, title I, § 1104(a), Oct. 1, 2020, 134 Stat. 727; Pub. L. 117-58, div. B, title II, § 22208(b)(1), Nov. 15, 2021, 135 Stat. 706.)

Editorial Notes

REFERENCES IN TEXT

Enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, referred in subsec. (a)(1), probably means the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, which is the date of enactment of title II of div. B of Pub. L. 117-58 and was approved Nov. 15, 2021.

The date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, referred to in subsec. (d), is the date of enactment of title II of div. B of Pub. L. 117-58, which was approved Nov. 15, 2021.

AMENDMENTS

2021—Pub. L. 117-58 amended section generally. Prior to amendment, section related to Amtrak’s development and implementation of plan to eliminate operating loss associated with providing food and beverage service on board Amtrak trains.

2020—Subsecs. (d), (e). Pub. L. 116-159 redesignated subsec. (e) as (d) and struck out former subsec. (d). Text

read as follows: “Beginning on the date that is 5 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or a rail carrier that operates a route in lieu of Amtrak pursuant to section 24711.”

Statutory Notes and Related Subsidiaries

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.

§ 24322. Rolling stock purchases

(a) IN GENERAL.—Prior to entering into any contract in excess of \$100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary of Transportation, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak’s funding request in its general and legislative annual report required under section 24315(b) in a particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor’s proposed pricing or other sensitive business information prior to contract execution or prohibiting Amtrak from entering into a contract after submission of a business case analysis under subsection (a).

(Added Pub. L. 114-94, div. A, title XI, §11208(a), Dec. 4, 2015, 129 Stat. 1639.)

Statutory Notes and Related Subsidiaries

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.

§ 24323. Prohibition on smoking on Amtrak trains

(a) PROHIBITION.—Beginning on the date of enactment of this section, Amtrak shall prohibit

smoking, including the use of electronic cigarettes, onboard all Amtrak trains.

(b) ELECTRONIC CIGARETTE DEFINED.—In this section, the term “electronic cigarette” means a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.

(Added Pub. L. 117-58, div. B, title II, §22209(a), Nov. 15, 2021, 135 Stat. 707.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (a), is the date of enactment of title II of div. B of Pub. L. 117-58, which was approved Nov. 15, 2021.

[CHAPTER 244—TRANSFERRED]

Editorial Notes

CODIFICATION

Former chapter 244 of this title was renumbered chapter 229 of this title and transferred to appear at the end of part B of subtitle V of this title. Sections 24401 to 24408 of this title were renumbered sections 22901 to 22908, respectively.

[§§ 24401 to 24408. Renumbered §§ 22901 to 22908]

[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.

Statutory Notes and Related Subsidiaries

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

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| Sec. | |
| 24701. | National rail passenger transportation system. |
| 24702. | Transportation requested by States, authorities, and other persons ¹ |

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