

- (8) a financial plan identifying projected—
- (A) annual revenues;
 - (B) annual ridership;
 - (C) capital investments before service could be initiated;
 - (D) capital investments required to maintain service;
 - (E) annual operating and costs; and
 - (F) sources of capital investment and operating financial support;

(9) a description of how the corridor would contribute to the development of a multi-State regional network of intercity passenger rail;

(10) an intermodal plan describing how the new or improved corridor facilitates travel connections with other passenger transportation services;

(11) a description of the anticipated environmental benefits of the corridor; and

(12) a description of the corridor's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(e) CONSULTATION.—In partnering on the preparation of a service development plan under subsection (d), the Secretary shall consult with—

- (1) Amtrak;
- (2) appropriate State and regional transportation authorities and local officials;
- (3) representatives of employee labor organizations representing railroad and other appropriate employees;
- (4) host railroads for the proposed corridor; and
- (5) other stakeholders, as determined by the Secretary.

(f) UPDATES.—Every 5 years, after the initial development of the service development plan under subsection (d), if at least 40 percent of the work to implement a service development plan prepared under subsection (d) has not yet been completed, the plan's sponsor, in consultation with the Secretary, shall determine whether such plan should be updated.

(g) PROJECT PIPELINE.—Not later than 1 year after the establishment of the program under this section, and by February 1st of each year thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives a project pipeline, in accordance with this section, that—

- (1) identifies intercity passenger rail corridors selected for development under this section;
- (2) identifies capital projects for Federal investment, project applicants, and proposed Federal funding levels, as applicable, consistent with the corridor project inventory;
- (3) specifies the order in which the Secretary would provide Federal financial assistance, subject to the availability of funds, to projects that have identified sponsors, including a method and plan for apportioning funds to project sponsors for a 5-year period, which

may be altered by the Secretary, as necessary, if recipients are not carrying out projects on the anticipated schedule;

(4) takes into consideration the appropriate sequence and phasing of projects described in the corridor project inventory;

(5) takes into consideration the existing commitments and anticipated Federal, project applicant, sponsor, and other relevant funding levels for the next 5 fiscal years based on information currently available to the Secretary;

(6) is prioritized based on the level of readiness of the corridor; and

(7) reflects consultation with Amtrak.

(h) DEFINITION.—In this section, the term “intercity passenger rail corridor” means—

(1) a new intercity passenger rail route of less than 750 miles;

(2) the enhancement of an existing intercity passenger rail route of less than 750 miles;

(3) the restoration of service over all or portions of an intercity passenger rail route formerly operated by Amtrak; or

(4) the increase of service frequency of a long-distance intercity passenger rail route.

(Added Pub. L. 117–58, div. B, title II, § 22308(a), Nov. 15, 2021, 135 Stat. 730.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, 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.

PART D—HIGH-SPEED RAIL

Editorial Notes

PRIOR PROVISIONS

A prior part D, consisting of chapter 261, was redesignated part E of this subtitle by Pub. L. 103–440, title I, § 103(a)(1), Nov. 2, 1994, 108 Stat. 4616.

CHAPTER 261—HIGH-SPEED RAIL ASSISTANCE

Sec.

26101.	High-speed rail corridor planning.
26102.	High-speed rail technology improvements.
26103.	Safety regulations and evaluation.
26104.	Authorization of appropriations.
26105.	Definitions.
26106.	High-speed rail corridor development.

Editorial Notes

PRIOR PROVISIONS

A prior chapter 261, consisting of sections 26101 and 26102, was renumbered chapter 281 of this title by Pub. L. 103–440, title I, § 103(a)(1), Nov. 2, 1994, 108 Stat. 4616.

AMENDMENTS

2021—Pub. L. 117–58, div. B, title II, § 22419(b), Nov. 15, 2021, 135 Stat. 749, substituted “Safety regulations and evaluation” for “Safety regulations” in item 26103.

2008—Pub. L. 110–432, div. B, title V, § 501(c), (e), Oct. 16, 2008, 122 Stat. 4960, 4963, substituted “High-speed rail corridor planning” for “Corridor development” in item 26101 and added item 26106.

2005—Pub. L. 109–59, title IX, § 9001(a)(2), Aug. 10, 2005, 119 Stat. 1919, substituted “development” for “planning” in item 26101.

§ 26101. High-speed rail corridor planning

(a) CORRIDOR PLANNING ASSISTANCE.—(1) The Secretary may provide under this section financial assistance to a public agency or group of public agencies for corridor planning for up to 50 percent of the publicly financed costs associated with eligible activities.

(2) No less than 20 percent of the publicly financed costs associated with eligible activities shall come from State and local sources, which State and local sources may not include funds from any Federal program.

(b) ELIGIBLE ACTIVITIES.—(1) A corridor planning activity is eligible for financial assistance under subsection (a) if the Secretary determines that it is necessary to establish appropriate engineering, operational, financial, environmental, or socioeconomic projections for the establishment of high-speed rail service in the corridor and that it leads toward development of a prudent financial and institutional plan for implementation of specific high-speed rail improvements, or if it is an activity described in subparagraph (M). Eligible corridor planning activities include—

- (A) environmental assessments;
- (B) feasibility studies emphasizing commercial technology improvements or applications;
- (C) economic analyses, including ridership, revenue, and operating expense forecasting;
- (D) assessing the impact on rail employment of developing high-speed rail corridors;
- (E) assessing community economic impacts;
- (F) coordination with State and metropolitan area transportation planning and corridor planning with other States;
- (G) operational planning;
- (H) route selection analyses and purchase of rights-of-way for proposed high-speed rail service;
- (I) preliminary engineering and design;
- (J) identification of specific improvements to a corridor, including electrification, line straightening and other right-of-way improvements, bridge rehabilitation and replacement, use of advanced locomotives and rolling stock, ticketing, coordination with other modes of transportation, parking and other means of passenger access, track, signal, station, and other capital work, and use of intermodal terminals;
- (K) preparation of financing plans and prospectuses;
- (L) creation of public/private partnerships; and
- (M) the acquisition of locomotives, rolling stock, track, and signal equipment.

(2) No financial assistance shall be provided under this section for corridor planning with respect to the main line of the Northeast Corridor, between Washington, District of Columbia, and Boston, Massachusetts.

(c) CRITERIA FOR DETERMINING FINANCIAL ASSISTANCE.—Selection by the Secretary of recipients of financial assistance under this section shall be based on such criteria as the Secretary considers appropriate, including—

- (1) the relationship of the corridor to the Secretary's national high-speed ground transportation policy;

- (2) the extent to which the proposed planning focuses on systems which will achieve sustained speeds of 125 mph or greater;

- (3) the integration of the corridor into metropolitan area and statewide transportation planning;

- (4) the potential interconnection of the corridor with other parts of the Nation's transportation system, including the interconnection with other countries;

- (5) the anticipated effect of the corridor on the congestion of other modes of transportation;

- (6) whether the work to be funded will aid the efforts of State and local governments to comply with the Clean Air Act (42 U.S.C. 7401 et seq.);

- (7) the past and proposed financial commitments and other support of State and local governments and the private sector to the proposed high-speed rail program, including the acquisition of rolling stock;

- (8) the estimated level of ridership;

- (9) the estimated capital cost of corridor improvements, including the cost of closing, improving, or separating highway-rail grade crossings;

- (10) rail transportation employment impacts;

- (11) community economic impacts;

- (12) the extent to which the projected revenues of the proposed high-speed rail service, along with any financial commitments of State or local governments and the private sector, are expected to cover capital costs and operating and maintenance expenses;

- (13) whether a specific route has been selected, specific improvements identified, and capacity studies completed; and

- (14) whether the corridor has been designated as a high-speed rail corridor by the Secretary.

(Added Pub. L. 103-440, title I, §103(a)(2), Nov. 2, 1994, 108 Stat. 4616; amended Pub. L. 109-59, title IX, §9001(a)(1), Aug. 10, 2005, 119 Stat. 1918; Pub. L. 110-432, div. B, title V, §501(a), Oct. 16, 2008, 122 Stat. 4959.)

Editorial Notes

REFERENCES IN TEXT

The Clean Air Act, referred to in subsec. (c)(6), is act July 14, 1955, ch. 360, 69 Stat. 322, as amended, which is classified generally to chapter 85 (§7401 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 7401 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 26101 was renumbered section 28101 of this title.

AMENDMENTS

2008—Pub. L. 110-432, §501(a)(1), substituted “High-speed rail corridor planning” for “Corridor development” in section catchline.

Subsec. (a). Pub. L. 110-432, §501(a)(2), substituted “Corridor Planning” for “Corridor Development” in heading.

Subsecs. (a)(1), (b). Pub. L. 110-432, §501(a)(3), substituted “corridor planning” for “corridor development” wherever appearing.