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109TH CONGRESS
1ST SESSION

H. R. 106

To require the Surface Transportation Board to consider certain issues when deciding whether to authorize the construction of a railroad line.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. GENE GREEN of Texas introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require the Surface Transportation Board to consider certain issues when deciding whether to authorize the construction of a railroad line.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Neighborhood Rail Ac-
5 countability Act”.

6 **SEC. 2. AMENDMENT.**

7 Section 10901 of title 49, United States Code, is
8 amended by adding at the end the following new sub-
9 sections:

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1 “(e) In determining whether to issue a certificate au-
2 thorizing the construction of an additional railroad line,
3 or the construction of an extension to any railroad line,
4 the Board shall give greater weight to local official state-
5 ments and public comments in opposition to the proposed
6 construction, especially with respect to construction in a
7 residential area, if there is an unusually high level of such
8 public opposition.

9 “(f) Before issuing a certificate under this section au-
10 thorizing the construction of an additional railroad line,
11 or the construction of an extension to any railroad line,
12 the Board shall identify any disproportionate negative im-
13 pacts on any socioeconomic population, and shall include
14 a discussion of alternatives that were considered that
15 would have avoided such disproportionate negative im-
16 pacts.

17 “(g) If the Board receives information indicating that
18 an applicant for a certificate under this section has pro-
19 vided to the Board false information that could materially
20 affect the Board’s determination, the process of consid-
21 ering the application shall be halted until the Board has
22 determined whether such information has been provided,
23 and whether the information was knowingly provided. If
24 the Board determines that such information has been pro-
25 vided unknowingly, the Board shall require the applicant

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1 to provide correct information before the process may re-
2 sume. If the Board determines that such information has
3 been provided knowingly, the Board shall not issue a cer-
4 tificate pursuant to that application.”.

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