

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1112

To amend title 23, United States Code, relating to rail line acquisition and relocation projects.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2005

Mr. MARCHANT introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 23, United States Code, relating to rail line acquisition and relocation projects.

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. ACQUISITION OF RAIL LINES; RAIL LINE RELO-**  
4 **CATION PROJECTS.**

5 (a) PURPOSES.—The purposes of this section are  
6 to—

7 (1) facilitate and support freight and passenger  
8 rail transportation initiatives at the State and local  
9 levels in order to increase economic efficiency and  
10 improve productivity by facilitating the movement of

1 people and goods by rail and to mitigate congestion  
2 and improve safety on highways located in the area  
3 of rail lines;

4 (2) mitigate the adverse effects of rail traffic on  
5 safety, motor vehicle traffic flow, or economic devel-  
6 opment in urbanized areas; and

7 (3) provide funding to address infrastructure  
8 and operational needs identified in the initiatives re-  
9 ferred to in paragraph (1).

10 (b) ACQUISITION OF RAIL LINES AND RAIL LINE RE-  
11 LOCATION PROJECTS.—Chapter 3 of title 23, United  
12 States Code, is amended by adding at the end the fol-  
13 lowing:

14 **“§ 325. Rail line acquisitions and relocation projects**

15 “(a) USE OF SURFACE TRANSPORTATION PROGRAM  
16 FUNDS.—A State may obligate funds apportioned to the  
17 State under section 104(b)(3) for—

18 “(1) the acquisition by the State transportation  
19 department or a local transportation agency of pas-  
20 senger or freight rail facilities (including railroad  
21 track, related track structures, rights-of-way, sta-  
22 tions, and bridges), for the purpose of rehabilitating,  
23 preserving, or improving the rail facilities; and

1           “(2) the relocation of passenger and freight rail  
2 lines (including the construction of rail facilities in  
3 the new location).

4           “(b) ELIGIBLE PROJECTS.—A project is eligible for  
5 funding under subsection (a)—

6           “(1) the acquisition of rail facilities by the  
7 State transportation department or local transpor-  
8 tation agency provides congestion relief and im-  
9 proved safety on highways located in the area of the  
10 rail facilities; or

11           “(2) the rail line to be relocated is publicly  
12 owned or, if privately owned, the relocation provides  
13 a public benefit, including facilitating the construc-  
14 tion and operation of publicly owned rail and high-  
15 way projects in the former location of the rail line.

16           “(c) PERIOD OF AVAILABILITY.—Funds allocated for  
17 a project by a State under this section shall remain avail-  
18 able until expended.

19           “(d) FEDERAL SHARE.—The Federal share of the  
20 cost of a project under this section shall be determined  
21 in accordance with section 120(b).”.

22           (c) ELIGIBILITY FOR SURFACE TRANSPORTATION  
23 PROGRAM FUNDS.—Section 133(b) of such title is amend-  
24 ed by inserting after paragraph (11) the following:

1           “(12) rail line acquisitions and relocation  
2 projects in accordance with section 325.”.

3       (d) CONFORMING AMENDMENT.—The analysis for  
4 chapter 3 of such title is amended by adding at the end  
5 the following:

“325. Rail line acquisitions and relocation projects.”.

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