

(2) foster competition among all carriers by railroad and other modes of transportation, to promote more adequate and efficient transportation services, and to increase the attractiveness of investing in railroads and rail-service-related enterprises;

(3) permit railroads greater freedom to raise or lower rates for rail services in competitive markets;

(4) promote the establishment of railroad rate structures which are more sensitive to changes in the level of seasonal, regional, and shipper demand;

(5) promote separate pricing of distinct rail and rail-related services;

(6) formulate standards and guidelines for determining adequate revenue levels for railroads; and

(7) modernize and clarify the functions of railroad rate bureaus.

(Pub. L. 94-210, title I, §101, Feb. 5, 1976, 90 Stat. 33; Pub. L. 117-58, div. B, title I, §21301(j)(3)(A), Nov. 15, 2021, 135 Stat. 691.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 94-210, Feb. 5, 1976, 90 Stat. 31, known as the Railroad Revitalization and Regulatory Reform Act of 1976. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, §21301(j)(3)(A)(i), substituted “The purpose of this Act and chapter 224 of title 49, United States Code, is to” for “It is the purpose of the Congress in this Act to” in introductory provisions.

Subsec. (b). Pub. L. 117-58, §21301(j)(3)(A)(ii), substituted “The policy of this Act and chapter 224 of title 49, United States Code, is” for “It is declared to be the policy of the Congress in this Act” in introductory provisions.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-94, div. A, title XI, §11601(a), Dec. 4, 2015, 129 Stat. 1693, provided that: “This subtitle [subtitle F (§§11601-11611) of title XI of div. A of Pub. L. 114-94, amending sections 821 to 823 of this title and enacting provisions set out as notes under section 821 of this title] may be cited as the ‘Railroad Infrastructure Financing Improvement Act.’”

SHORT TITLE

Pub. L. 94-210, §1, Feb. 5, 1976, 90 Stat. 31, provided in part that this Act [enacting this chapter and sections 726 and 745 to 747 of this title, and sections 1a, 5c, 26b, 26c, 1613, 1653a, 1654, and 1657a of former Title 49, Transportation, amending sections 543, 545, 546, 562 to 564, 702, 711 to 713, 715, 716, 718 to 721, 724, 725, 741, 743, 744, 762, 763, 771, 772, 774, 775, 778, 779, and 791 of this title, sections 77c, 77s, 78m, and 80a-3 of Title 15, Commerce and Trade, sections 11 and 856 of former Title 31, Money and Finance, and sections 1, 1a, 5, 5b, 6, 12, 13, 15, 15a, 17, 20, 27, 314, 1653, 1658, and 1659 of former Title 49, repealing sections 761 to 762 of this title, enacting provisions set out as notes under sections 745, 761, 791, and 793 of this title, sections 77c and 80a-3 of Title 15, and sections 1, 1a, 5b, 5c, 17, and 1654 of former Title 49, and amending notes set out under section 1651 of former Title 49] may be cited as the “Railroad Revitalization and Regulatory Reform Act of 1976”.

§ 802. Definitions

As used in this Act, unless the context otherwise indicates, the term—

(1) “Association” means the United States Railway Association;

(2) “Commission” means the Interstate Commerce Commission;

(3) “Corporation” means the Consolidated Rail Corporation;

(4) “final system plan” means the final system plan and any additions thereto adopted by the Association pursuant to the Regional Rail Reorganization Act of 1973 (45 U.S.C. 701 et seq.);

(5) “includes” and variants thereof should be read as if the phrase “but is not limited to” were also set forth;

(6) “Office” means the Rail Services Planning Office of the Commission;

(7) “railroad” has the meaning given that term in section 20102 of title 49; and

(8) “Secretary” means the Secretary of Transportation or his designated representative.

(Pub. L. 94-210, title I, §102, Feb. 5, 1976, 90 Stat. 33; Pub. L. 97-468, title VI, §615(b)(2), Jan. 14, 1983, 96 Stat. 2578; Pub. L. 104-88, title III, §330(1), Dec. 29, 1995, 109 Stat. 953; Pub. L. 109-59, title IX, §9003(a), Aug. 10, 2005, 119 Stat. 1921.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 94-210, Feb. 5, 1976, 90 Stat. 31, known as the Railroad Revitalization and Regulatory Reform Act of 1976. For complete classification of this Act to the Code, see Short Title note set out under section 801 of this title and Tables.

The Regional Rail Reorganization Act of 1973, referred to in par. (4), is Pub. L. 93-236, Jan. 2, 1974, 87 Stat. 985, which is classified principally to chapter 16 (§701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 701 of this title and Tables.

AMENDMENTS

2005—Par. (7). Pub. L. 109-59 amended par. (7) generally. Prior to amendment, par. (7) read as follows: “‘railroad’ means a rail carrier subject to part A of subtitle IV of title 49, and includes the National Railroad Passenger Corporation; and”.

1995—Par. (7). Pub. L. 104-88 substituted “rail carrier subject to part A of subtitle IV of title 49” for “common carrier by railroad or express, as defined in section 1(3) of the Interstate Commerce Act (49 U.S.C. 1(3))”.

1983—Par. (7). Pub. L. 97-468 struck out “and the Alaska Railroad” before the semicolon at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 97-468 effective on date of transfer of Alaska Railroad to the State [Jan. 5, 1985], pursuant to section 1203 of this title, see section 615(b) of Pub. L. 97-468.

ABOLITION OF INTERSTATE COMMERCE COMMISSION AND TRANSFER OF FUNCTIONS

Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise

provided in Pub. L. 104-88, to Surface Transportation Board effective Jan. 1, 1996, by section 1302 of Title 49, Transportation, and section 101 of Pub. L. 104-88, set out as a note under section 1301 of Title 49. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 205 of Pub. L. 104-88, set out as a note under section 1301 of Title 49.

ABOLITION OF UNITED STATES RAILWAY ASSOCIATION AND
TRANSFER OF FUNCTIONS AND SECURITIES

See section 1341 of this title.

§ 803. Repealed. Pub. L. 97-449, § 7(b), Jan. 12, 1983, 96 Stat. 2443

Section, Pub. L. 94-210, title IX, §905, Feb. 5, 1976, 90 Stat. 148, directed that no person in the United States be discriminated against on the basis of race, color, national origin, or sex with regard to any activity funded in whole or in part under this Act and provided for cut-off of funds to and civil action against any person who persisted in failure to comply. See section 306 of Title 49, Transportation.

SUBCHAPTER II—RAILROAD REHABILITATION AND IMPROVEMENT FINANCING

§§ 821 to 823. Repealed. Pub. L. 117-58, div. B, title I, § 21301(b)(1)(A), Nov. 15, 2021, 135 Stat. 683

Section 821, Pub. L. 94-210, title V, §501, as added Pub. L. 105-178, title VII, §7203(a)(1), June 9, 1998, 112 Stat. 471; amended Pub. L. 114-94, div. A, title XI, §11602, Dec. 4, 2015, 129 Stat. 1693, defined terms for purposes of this subchapter. See section 22401 of Title 49, Transportation.

A prior section 821, Pub. L. 94-210, title V, §501, Feb. 5, 1976, 90 Stat. 66; Pub. L. 95-620, title VIII, §803(c)(1), Nov. 9, 1978, 92 Stat. 3347; Pub. L. 96-101, §24(b), Nov. 4, 1979, 93 Stat. 747; Pub. L. 96-448, title IV, §405(d), Oct. 14, 1980, 94 Stat. 1947; Pub. L. 97-35, title XI, §1162(b), Aug. 13, 1981, 95 Stat. 684; Pub. L. 99-509, title IV, §4033(c)(2), Oct. 21, 1986, 100 Stat. 1908, defined terms for purposes of this subchapter, prior to repeal by Pub. L. 105-178, title VII, §7203(a)(1), June 9, 1998, 112 Stat. 471.

Section 822, Pub. L. 94-210, title V, §502, as added Pub. L. 105-178, title VII, §7203(a)(1), June 9, 1998, 112 Stat. 473; amended Pub. L. 109-59, title IX, §9003(b)-(g), Aug. 10, 2005, 119 Stat. 1921-1923; Pub. L. 110-432, div. A, title VII, §701(e), Oct. 16, 2008, 122 Stat. 4906; Pub. L. 114-94, div. A, title XI, §§11603-11605(a), 11606, 11607(a), 11608, 11609, Dec. 4, 2015, 129 Stat. 1694, 1695, 1697-1700; Pub. L. 116-94, div. H, title I, §192, Dec. 20, 2019, 133 Stat. 2972; Pub. L. 116-159, div. B, title I, §1104(b), Oct. 1, 2020, 134 Stat. 727, related to direct loans and loan guarantees. See section 22402 of Title 49, Transportation.

A prior section 822, Pub. L. 94-210, title V, §502, Feb. 5, 1976, 90 Stat. 67; Pub. L. 95-620, title VIII, §803(c)(2)-(4), Nov. 9, 1978, 92 Stat. 3347, related to the Rail Fund, prior to repeal by Pub. L. 105-178, title VII, §7203(a)(1), June 9, 1998, 112 Stat. 471.

Section 823, Pub. L. 94-210, title V, §503, as added and amended Pub. L. 105-178, title VII, §7203(a)(1), (4), June 9, 1998, 112 Stat. 475, 477; Pub. L. 109-59, title IX, §9003(h), (i), Aug. 10, 2005, 119 Stat. 1923; Pub. L. 114-94, div. A, title XI, §11605(b), Dec. 4, 2015, 129 Stat. 1695; Pub. L. 115-56, div. D, §164(b), as added Pub. L. 115-123, div. B, §20101(2), Feb. 9, 2018, 132 Stat. 121, related to administration of direct loans and loan guarantees. See section 22403 of Title 49, Transportation.

A prior section 823, Pub. L. 94-210, title V, §503, Feb. 5, 1976, 90 Stat. 69; Pub. L. 94-555, title II, §216(b), Oct. 19, 1976, 90 Stat. 2627, related to classification and designation of rail lines, prior to repeal by Pub. L. 105-178, title VII, §7203(a)(1), June 9, 1998, 112 Stat. 471.

Statutory Notes and Related Subsidiaries

SAVINGS PROVISION

Pub. L. 117-58, div. B, title I, §21301(b)(2), Nov. 15, 2021, 135 Stat. 683, provided that: "The repeals under paragraph (1) [repealing this section and sections 822, 823, and 836 of this title] shall not affect the rights and duties that matured under the repealed sections, the penalties that were incurred under such sections, or any proceeding authorized under any such section that commenced before the date of enactment of this Act [Nov. 15, 2021]."

SUBSTANTIVE CRITERIA AND STANDARDS

Pub. L. 109-59, title IX, §9003(j), Aug. 10, 2005, 119 Stat. 1923, which related to the substantive criteria and standards used by the Secretary of Transportation to determine whether to approve or disapprove applications submitted under former section 822 of this title, was repealed by Pub. L. 117-58, div. B, title I, §21301(b)(1)(B), Nov. 15, 2021, 135 Stat. 683.

§§ 824, 825. Repealed. Pub. L. 105-178, title VII, § 7203(a)(1), (2), June 9, 1998, 112 Stat. 471, 477

Section 824, Pub. L. 94-210, title V, §504, Feb. 5, 1976, 90 Stat. 70; Pub. L. 94-555, title II, §§216(c), 220(d), Oct. 19, 1976, 90 Stat. 2627, 2629, related to capital needs study to be submitted to Secretary.

Section 825, Pub. L. 94-210, title V, §505, Feb. 5, 1976, 90 Stat. 71; Pub. L. 94-555, title II, §§212, 216(a), Oct. 19, 1976, 90 Stat. 2624, 2626; Pub. L. 95-565, §5, Nov. 1, 1978, 92 Stat. 2400; Pub. L. 95-607, title III, §§301(a), 302, Nov. 8, 1978, 92 Stat. 3066; Pub. L. 95-620, title VIII, §803(c)(5), (6), Nov. 9, 1978, 92 Stat. 3347, 3348; Pub. L. 96-73, title IV, §401, Sept. 29, 1979, 93 Stat. 557; Pub. L. 96-101, §§16, 24(a), Nov. 4, 1979, 93 Stat. 744, 747; Pub. L. 96-254, title I, §112, May 30, 1980, 94 Stat. 404; Pub. L. 96-448, title IV, §§404, 405(a)(1), (c)(1), (2), (4), (5), 406, title VII, §701(d), Oct. 14, 1980, 94 Stat. 1945-1947, 1961; Pub. L. 97-35, title XI, §1162(a), (c), (d), Aug. 13, 1981, 95 Stat. 683, 684; Pub. L. 97-468, title IV, §§401, 403(b), Jan. 14, 1983, 96 Stat. 2550, 2551; Pub. L. 99-509, title IV, §4033(c)(3), Oct. 21, 1986, 100 Stat. 1908; Pub. L. 104-88, title III, §330(2), Dec. 29, 1995, 109 Stat. 953, related to rehabilitation and improvement financing.

§ 825a. Repealed. Pub. L. 99-509, title IV, § 4033(c)(6), Oct. 21, 1986, 100 Stat. 1909

Section, Pub. L. 97-468, title IV, §402, Jan. 14, 1983, 96 Stat. 2550, provided for financial assistance to responsible persons for purchase, lease, or rehabilitation of rail lines of Consolidated Rail Corporation.

§§ 826 to 830. Repealed. Pub. L. 105-178, title VII, § 7203(a)(2), June 9, 1998, 112 Stat. 477

Section 826, Pub. L. 94-210, title V, §506, Feb. 5, 1976, 90 Stat. 73; Pub. L. 94-555, title II, §§213, 214, Oct. 19, 1976, 90 Stat. 2624, 2625; Pub. L. 96-448, title IV, §405(c)(3)(A), (C), Oct. 14, 1980, 94 Stat. 1946, 1947, related to redeemable preference shares.

Section 827, Pub. L. 94-210, title V, §507, Feb. 5, 1976, 90 Stat. 74; Pub. L. 95-607, title III, §301(b), Nov. 8, 1978, 92 Stat. 3066; Pub. L. 96-73, title IV, §401, Sept. 29, 1979, 93 Stat. 557; Pub. L. 96-448, title IV, §§404, 405(a)(2), (c)(3)(B), Oct. 14, 1980, 94 Stat. 1945, 1946; Pub. L. 97-468, title IV, §401, Jan. 14, 1983, 96 Stat. 2550, related to fund anticipation notes.

Section 828, Pub. L. 94-210, title V, §508, Feb. 5, 1976, 90 Stat. 74, related to fund bonds.

Section 829, Pub. L. 94-210, title V, §509, Feb. 5, 1976, 90 Stat. 76; Pub. L. 94-555, title II, §216(d), Oct. 19, 1976, 90 Stat. 2627; Pub. L. 95-607, title III, §301(c), Nov. 8, 1978, 92 Stat. 3066; Pub. L. 96-73, title IV, §401, Sept. 29, 1979, 93 Stat. 557; Pub. L. 96-448, title IV, §§404, 405(a)(2), (b)(1), Oct. 14, 1980, 94 Stat. 1945; Pub. L. 97-35, title XI, §1162(e), (f), Aug. 13, 1981, 95 Stat. 684, 685; Pub. L.