

(e) For purposes of this section, the National Railroad Passenger Corporation and any entity providing commuter rail passenger transportation shall be considered rail carriers subject to the Board's jurisdiction.

(f) For purposes of this section, the term "commuter rail passenger transportation" has the meaning given that term in section 24102(4).¹

(Added Pub. L. 104-88, title I, §102(a), Dec. 29, 1995, 109 Stat. 833; amended Pub. L. 108-199, div. F, title I, §150(1), Jan. 23, 2004, 118 Stat. 302.)

Editorial Notes

REFERENCES IN TEXT

Section 24102 of this title, referred to in subsec. (f), was subsequently amended, and section 24102(4) no longer defines "commuter rail passenger transportation". However, such term is defined elsewhere in that section.

PRIOR PROVISIONS

A prior section 11123, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1422; Pub. L. 96-448, title II, §226, Oct. 14, 1980, 94 Stat. 1930, related to situations requiring immediate action, prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-199, §150(1)(A)(i), inserted "failure of existing commuter rail passenger transportation operations caused by a cessation of service by the National Railroad Passenger Corporation," after "cessation of operations," in introductory provisions.

Subsec. (a)(5). Pub. L. 108-199, §150(1)(A)(ii)-(iv), added par. (5).

Subsec. (b)(3). Pub. L. 108-199, §150(1)(B), designated existing provisions as subpar. (A), substituted "Except as provided in subparagraph (B), when" for "When", and added subpar. (B).

Subsec. (c)(4). Pub. L. 108-199, §150(1)(C), added par. (4).

Subsecs. (e), (f). Pub. L. 108-199, §150(1)(D), added subsecs. (e) and (f).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

§ 11124. War emergencies; embargoes imposed by carriers

(a)(1) When the President, during time of war or threatened war, notifies the Board that it is essential to the defense and security of the United States to give preference or priority to the movement of certain traffic, the Board shall direct that preference or priority be given to that traffic.

(2) When the President, during time of war or threatened war, demands that preference and precedence be given to the transportation of troops and material of war over all other traffic, all rail carriers providing transportation subject to the jurisdiction of the Board under this part shall adopt every means within their control to facilitate and expedite the military traffic.

(b) An embargo imposed by any such rail carrier does not apply to shipments consigned to

agents of the United States Government for its use. The rail carrier shall deliver those shipments as promptly as possible.

(Added Pub. L. 104-88, title I, §102(a), Dec. 29, 1995, 109 Stat. 834.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11128 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Prior sections 11124 to 11128 were omitted in the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Section 11124, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1422, related to rerouting traffic on failure of rail carrier to serve the public.

Section 11125, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1423; Pub. L. 98-216, §2(15), Feb. 14, 1984, 98 Stat. 5; Pub. L. 103-272, §5(m)(28), July 5, 1994, 108 Stat. 1378, related to directed rail transportation.

Section 11126, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1424; Pub. L. 103-272, §5(m)(29), July 5, 1994, 108 Stat. 1378, related to distribution of coal cars.

Section 11127, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1424; Pub. L. 99-521, §9(b)(1), (2), Oct. 22, 1986, 100 Stat. 2997, related to service of household goods freight forwarders.

Section 11128, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1425, related to war emergencies and embargoes imposed by carriers. See section 11124 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

SUBCHAPTER III—REPORTS AND RECORDS

§ 11141. Definitions

In this subchapter—

(1) the terms "rail carrier" and "lessor" include a receiver or trustee of a rail carrier and lessor, respectively;

(2) the term "lessor" means a person owning a railroad that is leased to and operated by a carrier providing transportation subject to the jurisdiction of the Board under this part; and

(3) the term "association" means an organization maintained by or in the interest of a group of rail carriers providing transportation or service subject to the jurisdiction of the Board under this part that performs a service, or engages in activities, related to transportation under this part.

(Added Pub. L. 104-88, title I, §102(a), Dec. 29, 1995, 109 Stat. 834.)

Editorial Notes

PRIOR PROVISIONS

A prior section 11141, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1425; Pub. L. 99-521, §9(c), Oct. 22, 1986, 100 Stat. 2997, defined terms for purposes of former sections 11141 to 11145 of this title, prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a). See sections 11141, 14121, and 15721 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

¹ See References in Text note below.