

(5) ways to incorporate local food and beverage items on State-supported routes; and

(6) any other issue that the working group determines to be appropriate.

(c) IMPLEMENTATION.—Not later than 180 days after the submission of the report pursuant to subsection (b), Amtrak shall submit a plan for implementing the recommendations of the working group, and an explanation for any of the working group’s recommendations it does not agree with and does not plan on implementing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee who held a position on a long-distance or Northeast Corridor route as of the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, is involuntarily separated because of the development and implementation of the plan required under this section.

(Added Pub. L. 114–94, div. A, title XI, §11207(a), Dec. 4, 2015, 129 Stat. 1638; amended Pub. L. 116–159, div. B, title I, §1104(a), Oct. 1, 2020, 134 Stat. 727; Pub. L. 117–58, div. B, title II, §22208(b)(1), Nov. 15, 2021, 135 Stat. 706.)

Editorial Notes

REFERENCES IN TEXT

Enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, referred in subsec. (a)(1), probably means the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, which is the date of enactment of title II of div. B of Pub. L. 117–58 and was approved Nov. 15, 2021.

The date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, referred to in subsec. (d), is the date of enactment of title II of div. B of Pub. L. 117–58, which was approved Nov. 15, 2021.

AMENDMENTS

2021—Pub. L. 117–58 amended section generally. Prior to amendment, section related to Amtrak’s development and implementation of plan to eliminate operating loss associated with providing food and beverage service on board Amtrak trains.

2020—Subsecs. (d), (e). Pub. L. 116–159 redesignated subsec. (e) as (d) and struck out former subsec. (d). Text read as follows: “Beginning on the date that is 5 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or a rail carrier that operates a route in lieu of Amtrak pursuant to section 24711.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

§ 24322. Rolling stock purchases

(a) IN GENERAL.—Prior to entering into any contract in excess of \$100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary of Transportation, the Committee on Commerce,

Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak’s funding request in its general and legislative annual report required under section 24315(b) in a particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor’s proposed pricing or other sensitive business information prior to contract execution or prohibiting Amtrak from entering into a contract after submission of a business case analysis under subsection (a).

(Added Pub. L. 114–94, div. A, title XI, §11208(a), Dec. 4, 2015, 129 Stat. 1639.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

§ 24323. Prohibition on smoking on Amtrak trains

(a) PROHIBITION.—Beginning on the date of enactment of this section, Amtrak shall prohibit smoking, including the use of electronic cigarettes, onboard all Amtrak trains.

(b) ELECTRONIC CIGARETTE DEFINED.—In this section, the term “electronic cigarette” means a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.

(Added Pub. L. 117–58, div. B, title II, §22209(a), Nov. 15, 2021, 135 Stat. 707.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, 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.