

§ 24702. Transportation requested by States, authorities, and other persons

(a) **CONTRACTS FOR TRANSPORTATION.**—Amtrak may enter into a contract with a State, a regional or local authority, or another person for Amtrak to operate an intercity rail service or route not included in the national rail passenger transportation system upon such terms as the parties thereto may agree.

(b) **DISCONTINUANCE.**—Upon termination of a contract entered into under this section, or the cessation of financial support under such a contract by either party, Amtrak may discontinue such service or route, notwithstanding any other provision of law.

(Added Pub. L. 110-432, div. B, title II, §201(b)(1), Oct. 16, 2008, 122 Stat. 4910.)

Editorial Notes

PRIOR PROVISIONS

A prior section 24702, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 923; Pub. L. 104-287, §5(48), Oct. 11, 1996, 110 Stat. 3393, related to carrying out plan to improve intercity rail passenger service prior to repeal by Pub. L. 105-134, title I, §101(b), Dec. 2, 1997, 111 Stat. 2572.

Statutory Notes and Related Subsidiaries

ACCESS TO AMTRAK EQUIPMENT AND SERVICES

Pub. L. 110-432, div. B, title II, §217, Oct. 16, 2008, 122 Stat. 4930, as amended by Pub. L. 114-94, div. A, title XI, §11006(b)(1), Dec. 4, 2015, 129 Stat. 1624, provided that: “If a State desires to select or selects an entity other than Amtrak to provide services required for the operation of an intercity passenger train route described in section 24102(7)(D) or 24702 of title 49, United States Code, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the State to utilize an entity other than Amtrak to provide services required for operation of the route. If the parties cannot agree upon terms, and the Surface Transportation Board finds that access to Amtrak’s facilities or equipment, or the provision of services by Amtrak, is necessary to carry out this provision and that the operation of Amtrak’s other services will not be impaired thereby, the Surface Transportation Board shall, within 120 days after submission of the dispute, issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services. Compensation shall be determined, as appropriate, in accordance with the methodology established pursuant to section 209 of this division [49 U.S.C. 24101 note], if available.”

[[§ 24703 to 24705. Repealed. Pub. L. 105-134, title I, §§ 103-105(a), Dec. 2, 1997, 111 Stat. 2572, 2573]

Section 24703, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 924, provided route and service criteria for modifying or discontinuing routes.

Section 24704, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 925, related to application by States, regional or local authorities, or other persons requesting Amtrak to provide passenger rail service and criteria for decision.

Section 24705, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 926; Pub. L. 104-88, title III, §308(i), Dec. 29, 1995, 109 Stat. 947, related to providing service on routes recommended to be discontinued, criteria for deferring Secretary’s recommendation, and providing short haul demonstration routes.

§ 24706. Discontinuance

(a) **NOTICE OF DISCONTINUANCE.**—(1) Except as provided in subsection (c), not later than 180 days before discontinuing service over a route, Amtrak shall give notice of the discontinuance in the way Amtrak decides will give a State, a regional or local authority, or another person the opportunity to agree to share or assume the cost of any part of the train, route, or service to be discontinued.

(2) Notice of the discontinuance under paragraph (1) shall be posted in all stations served by the train to be discontinued at least 14 days before the discontinuance.

(b) **DISCONTINUANCE OR SUBSTANTIAL ALTERATION OF LONG-DISTANCE ROUTES.**—Except as provided in subsection (c), in an emergency, or during maintenance or construction outages impacting Amtrak routes, Amtrak may not discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any segment of any long-distance route in any fiscal year in which Amtrak receives adequate Federal funding for such route on the National Network.

(c) **DISCONTINUANCE FOR LACK OF APPROPRIATIONS.**—(1) Amtrak may discontinue service under subsection (a)(1) during—

(A) the first month of a fiscal year if the authorization of appropriations and the appropriations for Amtrak are not enacted at least 90 days before the beginning of the fiscal year; and

(B) the 30 days following enactment of an appropriation for Amtrak or a rescission of an appropriation.

(2) Amtrak shall notify each affected State or regional or local transportation authority of a discontinuance under this subsection as soon as possible after Amtrak decides to discontinue the service.

(d) **CONGRESSIONAL NOTIFICATION OF DISCONTINUANCE.**—Except as provided in subsection (c), not later than 210 days before discontinuing service over a route, Amtrak shall give written notice of such discontinuance to all of the members of Congress representing any State or district in which the discontinuance would occur.

(e) **APPLICABILITY.**—This section applies to all service over routes provided by Amtrak, notwithstanding any provision of section 24701 of this title or any other provision of this title except section 24702(b).

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 927; Pub. L. 105-134, title I, §§101(c), 142(a), Dec. 2, 1997, 111 Stat. 2572, 2576; Pub. L. 110-432, div. B, title II, §201(d), Oct. 16, 2008, 122 Stat. 4910; Pub. L. 114-94, div. A, title XI, §11316(n)(1), Dec. 4, 2015, 129 Stat. 1678; Pub. L. 117-58, div. B, title II, §22210, Nov. 15, 2021, 135 Stat. 708.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
24706(a)(1) ..	45:564(c)(4)(F)(ii).	Oct. 30, 1970, Pub. L. 91-518, 84 Stat. 1327, §404(c)(4)(F); added Sept. 29, 1979, Pub. L. 96-73, §117, 93 Stat. 545; restated Aug. 13, 1981, Pub. L. 97-35, §1183(b), 95 Stat. 696.