

ments for rail freight or commuter rail transportation under subsection (a)(6) of this section and this subsection applies only when there is no agreement.

PUB. L. 103-429

This amends 49:24904(a)(2) to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 934).

Editorial Notes

REFERENCES IN TEXT

The Regional Rail Reorganization Act of 1973, referred to in subssecs. (a) and (c)(2), is Pub. L. 93-236, Jan. 2, 1974, 87 Stat. 985, which is classified principally to chapter 16 (§ 701 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 45 and Tables.

The Railroad Revitalization and Regulatory Reform Act of 1976, referred to in subssecs. (a)(6) and (c)(2), is Pub. L. 94-210, Feb. 5, 1976, 90 Stat. 31. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 45 and Tables.

PRIOR PROVISIONS

A prior section 24903, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 933; Pub. L. 104-287, §5(48), Oct. 11, 1996, 110 Stat. 3393, related to program master plan for Boston-New York main line, prior to repeal by Pub. L. 105-134, title IV, §405(a), Dec. 2, 1997, 111 Stat. 2586.

AMENDMENTS

2021—Subsec. (a)(6). Pub. L. 117-58, §21301(j)(4)(F)(i), substituted “, the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.), and chapter 224 of this title” for “and the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.)”.

Subsec. (c)(2). Pub. L. 117-58, §21301(j)(4)(F)(ii), substituted “, the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.), and chapter 224 of this title” for “and the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.)”.

2015—Pub. L. 114-94 renumbered section 24904 of this title as this section.

2012—Subsec. (c)(2). Pub. L. 112-141 substituted “Surface Transportation Board” for “Interstate Commerce Commission” and “Board” for “Commission”.

Subsec. (c)(3). Pub. L. 112-141, §32932(c)(4)(B), substituted “Board” for “Commission”.

2008—Subsec. (c)(2). Pub. L. 110-432 inserted “commuter rail passenger and” after “between” in first sentence and struck out “freight” after “rail” in second sentence.

1997—Subsec. (a)(6) to (8). Pub. L. 105-134 inserted “and” at end of par. (6), substituted a period for “; and” at end of par. (7), and struck out par. (8) which read as follows: “make agreements with telecommunications common carriers, subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.), to continue existing, and establish new and improved, passenger radio mobile telephone service in the high-speed rail passenger transportation area specified in section 24902(a)(1) and (2).”

1994—Subsec. (a)(2). Pub. L. 103-429 inserted “, by condemnation or otherwise,” after “acquire”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective

and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

§ 24904. Northeast Corridor planning

(a) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN.—

(1) IN GENERAL.—Not later than March 31, 2022, the Northeast Corridor Commission established under section 24905 (referred to in this section as the “Commission”) shall submit a service development plan to Congress.

(2) CONTENTS.—The plan required under paragraph (1) shall—

(A) identify key state-of-good-repair, capacity expansion, and capital improvement projects planned for the Northeast Corridor;

(B) provide a coordinated and consensus-based plan covering a 15-year period;

(C) identify service objectives and the capital investments required to meet such objectives;

(D) provide a delivery-constrained strategy that identifies—

(i) capital investment phasing;

(ii) an evaluation of workforce needs; and

(iii) strategies for managing resources and mitigating construction impacts on operations; and

(E) include a financial strategy that identifies funding needs and potential funding sources.

(3) UPDATES.—The Commission shall update the service development plan not less frequently than once every 5 years.

(b) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—

(1) IN GENERAL.—Not later than November 1 of each year, the Commission shall—

(A) develop an annual capital investment plan for the Northeast Corridor; and

(B) submit the capital investment plan to—

(i) the Secretary of Transportation;

(ii) the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) CONTENTS.—The plan required under paragraph (1) shall—

(A) reflect coordination across the entire Northeast Corridor;

(B) integrate the individual capital plans developed by Amtrak, States, and commuter authorities in accordance with the cost allocation policy developed and approved under section 24905(c);

(C) cover a period of 5 fiscal years, beginning with the fiscal year during which the plan is submitted;

(D) notwithstanding section 24902(b), document the projects and programs being under-

taken to advance the service objectives and capital investments identified in the Northeast Corridor service development plan developed under subsection (a), and the asset condition needs identified in the Northeast Corridor asset management plans, after considering—

- (i) the benefits and costs of capital investments in the plan;
- (ii) project and program readiness;
- (iii) the operational impacts; and
- (iv) Federal and non-Federal funding availability;

(E) categorize capital projects and programs as primarily associated with 1 of the categories listed under section 24319(c)(2)(C);

(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E); and

(G) include a financial plan that identifies—

- (i) funding sources and financing methods;
- (ii) the status of cost sharing agreements pursuant to the cost allocation policy developed under section 24905(c);
- (iii) the projects and programs that the Commission expects will receive Federal financial assistance; and
- (iv) the eligible entity or entities that the Commission expects—

- (I) to receive the Federal financial assistance referred to in clause (iii); and
- (II) to implement each capital project.

(3) REVIEW AND COORDINATION.—The Commission shall require that the information described in paragraph (2) be submitted in a timely manner to allow for a reasonable period of review by, and coordination with, affected agencies before the Commission submits the capital investment plan pursuant to paragraph (1).

(c) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the Northeast Corridor account established under section 24317(b) for that fiscal year may be spent only on capital projects and programs contained in the Commission's capital investment plan for the prior fiscal year.

(d) NORTHEAST CORRIDOR CAPITAL ASSET MANAGEMENT SYSTEM.—

(1) IN GENERAL.—Amtrak and other infrastructure owners that provide or support intercity rail passenger transportation along the Northeast Corridor shall develop an asset management system and use and update such system, as necessary, to develop submissions to the Northeast Corridor capital investment plan described in subsection (b).

(2) FEATURES.—The system required under paragraph (1) shall develop submissions that—

- (A) are consistent with the transit asset management system (as defined in section 5326(a)(3)); and
- (B) include—
 - (i) an inventory of all capital assets owned by the developer of the plan;
 - (ii) an assessment of condition of such capital assets;

- (iii) a description of the resources and processes that will be necessary to bring or to maintain such capital assets in a state of good repair; and

- (iv) a description of changes in the condition of such capital assets since the submission of the prior version of the plan.

(e) DEFINITION OF NORTHEAST CORRIDOR.—In this section, the term “Northeast Corridor” means the main line between Boston, Massachusetts, and the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

(Added Pub. L. 114-94, div. A, title XI, §11306(a)(2), Dec. 4, 2015, 129 Stat. 1658; amended Pub. L. 117-58, div. B, title II, §22301, Nov. 15, 2021, 135 Stat. 714.)

Editorial Notes

PRIOR PROVISIONS

A prior section 24904 was renumbered section 24903 of this title.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, §22301(1), (3), added subsec. (a) and struck out former subsec. (a), which required Northeast Corridor Commission to develop Northeast Corridor capital investment and financial plans.

Subsec. (b). Pub. L. 117-58, §22301(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 117-58, §22301(2), (4), redesignated subsec. (b) as (c) and substituted “spent only on capital projects and programs contained in the Commission's capital investment plan for the prior fiscal year.” for “spent only on—

“(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

“(2) capital projects described in subsection (a)(2)(E)(iv) or (v) of this section that are for the sole benefit of Amtrak.”

Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 117-58, §22301(5), amended subsec. (d) generally. Prior to amendment, subsec. (d) related to development of Northeast Corridor asset management system and Northeast Corridor asset management plan for each service territory.

Pub. L. 117-58, §22301(1), (2), redesignated subsec. (c) as (d) and struck out former subsec. (d). Prior to amendment, text of subsec. (d) read as follows: “Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.”

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.

§ 24905. Northeast Corridor Commission; Safety Committee

(a) NORTHEAST CORRIDOR COMMISSION.—

(1) Within 180 days after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Secretary of Transportation shall establish a Northeast Corridor Commission (referred to in this sec-