

Subsecs. (j), (k). Pub. L. 117–58, §22307(a)(8), added subsecs. (j) and (k).

2019—Subsec. (i). Pub. L. 115–420 substituted “22905” for “24405”.

2018—Subsec. (e)(1). Pub. L. 115–141 substituted “transportation at the eligible project location” for “transportation”.

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.

CHAPTER 251—PASSENGER RAIL PLANNING

Sec.

25101. Corridor Identification and Development Program.

§ 25101. Corridor Identification and Development Program

(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, the Secretary of Transportation shall establish a program to facilitate the development of intercity passenger rail corridors. The program shall include—

(1) a process for eligible entities described in subsection (b) to submit proposals for the development of intercity passenger rail corridors;

(2) a process for the Secretary to review and select proposals in accordance with subsection (c);

(3) criteria for determining the level of readiness for Federal financial assistance of an intercity passenger rail corridor, which shall include—

(A) identification of a service operator which may include Amtrak or private rail carriers;

(B) identification of a service sponsor or sponsors;

(C) identification capital project sponsors;

(D) engagement with the host railroads; and

(E) other criteria as determined appropriate by the Secretary;

(4) a process for preparing service development plans in accordance with subsection (d), including the identification of planning funds, such as funds made available under section 24911(k) and interstate rail compact grants established under section 22210;¹

(5) the creation of a pipeline of intercity passenger rail corridor projects under subsection (g);

(6) planning guidance to achieve the purposes of this section, including guidance for intercity passenger rail corridors not selected under this section; and

(7) such other features as the Secretary considers relevant to the successful development of intercity passenger rail corridors.

(b) ELIGIBLE ENTITIES.—The Secretary may receive proposals under this section from Amtrak,

States, groups of States, entities implementing interstate compacts, regional passenger rail authorities, regional planning organizations, political subdivisions of a State, federally recognized Indian Tribes, and other public entities, as determined by the Secretary.

(c) CORRIDOR SELECTION.—In selecting intercity passenger rail corridors pursuant to subsection (a), the Secretary shall consider—

(1) whether the route was identified as part of a regional or interregional intercity passenger rail systems planning study;

(2) projected ridership, revenues, capital investment, and operating funding requirements;

(3) anticipated environmental, congestion mitigation, and other public benefits;

(4) projected trip times and their competitiveness with other transportation modes;

(5) anticipated positive economic and employment impacts, including development in the areas near passenger stations, historic districts, or other opportunity zones;

(6) committed or anticipated State, regional transportation authority, or other non-Federal funding for operating and capital costs;

(7) benefits to rural communities;

(8) whether the corridor is included in a State's approved State rail plan developed pursuant to chapter 227;

(9) whether the corridor serves historically unserved or underserved and low-income communities or areas of persistent poverty;

(10) whether the corridor would benefit or improve connectivity with existing or planned transportation services of other modes;

(11) whether the corridor connects at least 2 of the 100 most populated metropolitan areas;

(12) whether the corridor would enhance the regional equity and geographic diversity of intercity passenger rail service;

(13) whether the corridor is or would be integrated into the national rail passenger transportation system and whether the corridor would create benefits for other passenger rail routes and services; and

(14) whether a passenger rail operator, including a private rail carrier, has expressed support for the corridor.

(d) SERVICE DEVELOPMENT PLANS.—For each corridor proposal selected for development under this section, the Secretary shall partner with the entity that submitted the proposal, relevant States, and Amtrak, as appropriate, to prepare a service development plan (or to update an existing service development plan), which shall include—

(1) a detailed description of the proposed intercity passenger rail service, including train frequencies, peak and average operating speeds, and trip times;

(2) a corridor project inventory that—

(A) identifies the capital projects necessary to achieve the proposed intercity passenger rail service, including—

(i) the capital projects for which Federal investment will be sought;

(ii) the likely project applicants; and

(iii) the proposed Federal funding levels;

(B) specifies the order in which Federal funding will be sought for the capital

¹ So in original. Probably should be “section 22910;”.

projects identified under subparagraph (A), after considering the appropriate sequence and phasing of projects based on the anticipated availability of funds; and

(C) is developed in consultation with the entities listed in subsection (e);

(3) a schedule and any associated phasing of projects and related service initiation or changes;

(4) project sponsors and other entities expected to participate in carrying out the plan;

(5) a description of how the corridor would comply with Federal rail safety and security laws, orders, and regulations;

(6) the locations of existing and proposed stations;

(7) the needs for rolling stock and other equipment;

(8) a financial plan identifying projected—

(A) annual revenues;

(B) annual ridership;

(C) capital investments before service could be initiated;

(D) capital investments required to maintain service;

(E) annual operating and costs; and

(F) sources of capital investment and operating financial support;

(9) a description of how the corridor would contribute to the development of a multi-State regional network of intercity passenger rail;

(10) an intermodal plan describing how the new or improved corridor facilitates travel connections with other passenger transportation services;

(11) a description of the anticipated environmental benefits of the corridor; and

(12) a description of the corridor's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(e) CONSULTATION.—In partnering on the preparation of a service development plan under subsection (d), the Secretary shall consult with—

(1) Amtrak;

(2) appropriate State and regional transportation authorities and local officials;

(3) representatives of employee labor organizations representing railroad and other appropriate employees;

(4) host railroads for the proposed corridor; and

(5) other stakeholders, as determined by the Secretary.

(f) UPDATES.—Every 5 years, after the initial development of the service development plan under subsection (d), if at least 40 percent of the work to implement a service development plan prepared under subsection (d) has not yet been completed, the plan's sponsor, in consultation with the Secretary, shall determine whether such plan should be updated.

(g) PROJECT PIPELINE.—Not later than 1 year after the establishment of the program under this section, and by February 1st of each year thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Ap-

propriations of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives a project pipeline, in accordance with this section, that—

(1) identifies intercity passenger rail corridors selected for development under this section;

(2) identifies capital projects for Federal investment, project applicants, and proposed Federal funding levels, as applicable, consistent with the corridor project inventory;

(3) specifies the order in which the Secretary would provide Federal financial assistance, subject to the availability of funds, to projects that have identified sponsors, including a method and plan for apportioning funds to project sponsors for a 5-year period, which may be altered by the Secretary, as necessary, if recipients are not carrying out projects on the anticipated schedule;

(4) takes into consideration the appropriate sequence and phasing of projects described in the corridor project inventory;

(5) takes into consideration the existing commitments and anticipated Federal, project applicant, sponsor, and other relevant funding levels for the next 5 fiscal years based on information currently available to the Secretary;

(6) is prioritized based on the level of readiness of the corridor; and

(7) reflects consultation with Amtrak.

(h) DEFINITION.—In this section, the term “intercity passenger rail corridor” means—

(1) a new intercity passenger rail route of less than 750 miles;

(2) the enhancement of an existing intercity passenger rail route of less than 750 miles;

(3) the restoration of service over all or portions of an intercity passenger rail route formerly operated by Amtrak; or

(4) the increase of service frequency of a long-distance intercity passenger rail route.

(Added Pub. L. 117–58, div. B, title II, §22308(a), Nov. 15, 2021, 135 Stat. 730.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, 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.

PART D—HIGH-SPEED RAIL

Editorial Notes

PRIOR PROVISIONS

A prior part D, consisting of chapter 261, was redesignated part E of this subtitle by Pub. L. 103–440, title I, §103(a)(1), Nov. 2, 1994, 108 Stat. 4616.

CHAPTER 261—HIGH-SPEED RAIL ASSISTANCE

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| 26101. | High-speed rail corridor planning. |
| 26102. | High-speed rail technology improvements. |
| 26103. | Safety regulations and evaluation. |