### 103D CONGRESS 2D SESSION **H. R. 4867**

To authorize appropriations for high-speed rail transportation, and for other purposes.

### IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1994

Ms. SCHENK (for herself, Mr. SWIFT, and Mr. DINGELL) introduced the following bill; which was referred to the Committee on Energy and Commerce

# A BILL

To authorize appropriations for high-speed rail transportation, and for other purposes.

1 Be it enacted by the Senate and House of Representa-

2 tives of the United States of America in Congress assembled,

### **3 SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "High-Speed Rail De-5 velopment Act of 1994".

### 6 SEC. 2. FINDINGS.

- 7 The Congress finds that—
- 8 (1) high-speed rail offers safe and efficient 9 transportation in certain densely traveled corridors

linking major metropolitan areas in the United
 States;

3 (2) high-speed rail may have environmental ad4 vantages over certain other forms of intercity trans5 portation;

6 (3) Amtrak's Metroliner service between Wash-7 ington, District of Columbia, and New York, New 8 York, the United States premiere high-speed rail 9 service, has shown that Americans will use high-10 speed rail when that transportation option is avail-11 able;

12 (4) new high-speed rail service should not re13 ceive Federal subsidies for operating and mainte14 nance expenses;

(5) State and local governments should take the
prime responsibility for the development and implementation of high-speed rail service;

18 (6) the private sector should participate in19 funding the development of high-speed rail systems;

(7) in some intercity corridors, Federal planning assistance may be required to supplement the
funding commitments of State and local governments and the private sector to ensure the adequate
planning, including reasonable estimates of the costs
and benefits, of high-speed rail systems;

(8) improvement of existing technologies can fa cilitate the development of high-speed rail systems in
 the United States; and

4 (9) Federal assistance is required for the im5 provement, adoption, and integration of developed
6 technologies for commercial application in high7 speed rail service in the United States.

## 8 SEC. 3. NATIONAL HIGH-SPEED RAIL ASSISTANCE PRO-9 GRAM.

10 (a) AMENDMENTS.—(1) Part D of subtitle V of title 11 49, United States Code, is redesignated as part E, chapter 12 261 of such title is redesignated as chapter 281, and sec-13 tions 26101 and 26102 of such title are redesignated as 14 sections 28101 and 28102.

(2) Subtitle V of title 49, United States Code, is
amended by inserting after part C the following new part:
"PART D—HIGH-SPEED RAIL

### 18 "CHAPTER 261—HIGH-SPEED RAIL ASSISTANCE

"Sec.
"26101. Corridor planning.
"26102. High-speed rail technology improvements.
"26103. Safety regulations.
"26104. Authorization of appropriations.
"26105. Definitions.

### 19 "SEC. 26101. CORRIDOR PLANNING.

20 "(a) CORRIDOR PLANNING ASSISTANCE.—(1) The
21 Secretary may provide under this section financial assist22 ance to a public agency or group of public agencies for

corridor planning for up to 50 percent of the publicly
 funded costs associated with eligible activities.

3 "(2) No less than 20 percent of the publicly funded
4 costs associated with eligible activities shall come from
5 State and local sources, not including funds from any Fed6 eral program.

"(b) ELIGIBLE ACTIVITIES.—(1) A corridor planning
activity is eligible for financial assistance under subsection
(a) if the Secretary determines it to be necessary to establish appropriate engineering, operational, financial, environmental, or socioeconomic projections preliminary to implementation of specific high-speed rail improvements. Eligible corridor planning activities include—

14 "(A) environmental assessments;

15 "(B) feasibility studies emphasizing commercial
16 technology improvements or applications;

17 ''(C) economic analyses, including ridership,
18 revenue, and operating expense forecasting;

19 "(D) assessing the impact on rail employment20 of developing high-speed rail corridors;

21 "(E) assessing community economic impacts;

22 "(F) coordination with State and metropolitan
23 area transportation planning and corridor planning
24 with other States;

25 "(G) operational planning;

"(H) route selection analyses and purchase of 1 2 rights-of-way for proposed high-speed rail service; "(I) preliminary engineering and design; 3 "(J) identification of specific improvements to a 4 corridor, including electrification, line straightening 5 and other right-of-way improvements, bridge reha-6 7 bilitation and replacement, use of advanced locomotives and rolling stock, ticketing, coordination 8 with other modes of transportation, parking and 9 other means of passenger access, track, signal, sta-10 11 tion, and other capital work, and use of intermodal 12 terminals: "(K) preparation of financing 13 plans and 14 prospectuses; and "(L) creation of public/private partnerships. 15

"(2) No financial assistance shall be provided under
this section for corridor planning with respect to the main
line of the Northeast Corridor, between Washington, District of Columbia, and Boston, Massachusetts.

20 "(c) CRITERIA FOR DETERMINING FINANCIAL AS-21 SISTANCE.—Selection by the Secretary of recipients of fi-22 nancial assistance under this section shall be based on 23 such criteria as the Secretary considers appropriate, in-24 cluding—

5

"(1) the relationship of the corridor to the Sec retary's national high-speed ground transportation
 policy;

4 "(2) the extent to which the proposed planning
5 focuses on systems which will achieve sustained
6 speeds of 125 mph or greater;

"(3) the integration of the corridor into metropolitan area and statewide transportation planning;
"(4) the potential interconnection of the corridor with other parts of the Nation's transportation
system, including the interconnection with other
countries;

13 "(5) the anticipated effect of the high-speed rail
14 service on the congestion of other modes of transpor15 tation;

16 "(6) whether the work to be funded will aid the
17 efforts of State and local governments to comply
18 with the Clean Air Act;

"(7) the past and proposed financial commitments and other support of State and local governments and the private sector to the proposed highspeed rail program, including the acquisition of rolling stock;

24 "(8) the estimated level of ridership;

6

| 1  | "(9) the estimated capital cost of corridor im-              |
|----|--|
| 2  | provements, including the cost of closing, improving,        |
| 3  | or separating highway-rail grade crossings;                  |
| 4  | "(10) rail transportation employment impacts;                |
| 5  | "(11) community economic impacts;                            |
| 6  | "(12) the extent to which the projected reve-                |
| 7  | nues of the high-speed rail service, along with any          |
| 8  | financial commitments of State or local governments          |
| 9  | and the private sector, are expected to cover capital        |
| 10 | costs and operating and maintenance expenses;                |
| 11 | "(13) whether a specific route has been se-                  |
| 12 | lected, specific improvements identified, and capacity       |
| 13 | studies completed; and                                       |
| 14 | "(14) whether the corridor has been designated               |
| 15 | as a high-speed rail corridor by the Secretary.              |
| 16 | "SEC. 26102. HIGH-SPEED RAIL TECHNOLOGY IMPROVE-             |
| 17 | MENTS.   |
| 18 | "(a) AUTHORITY.—The Secretary may undertake ac-              |
| 19 | tivities for the improvement, adaptation, and integration    |
| 20 | of developed technologies for commercial application in      |
| 21 | high-speed rail service in the United States.                |
| 22 | "(b) ELIGIBLE RECIPIENTS.—In carrying out activi-            |
| 23 | ties authorized by subsection (a), the Secretary may pro-    |
| 24 | vide financial assistance to any United States private busi- |

25 ness, educational institution located in the United States,

State or local government or public authority, or agency
 of the Federal Government.

3 "(c) CONSULTATION WITH OTHER AGENCIES.—In 4 carrying out activities authorized by subsection (a), the 5 Secretary shall consult with such other governmental 6 agencies as may be necessary concerning the availability 7 of appropriate technologies for commercial application in 8 high-speed rail service in the United States.

### 9 "SEC. 26103. SAFETY REGULATIONS.

10 "The Secretary shall promulgate such safety regula-11 tions as may be necessary for high-speed rail.

#### 12 "SEC. 26104. AUTHORIZATION OF APPROPRIATIONS.

"(a) FISCAL YEAR 1995.—There are authorized to
be appropriated to the Secretary \$29,000,000 for fiscal
year 1995, for carrying out sections 26101 and 26102.
"(b) FISCAL YEAR 1996.—(1) There are authorized
to be appropriated to the Secretary \$40,000,000 for fiscal
year 1996, for carrying out section 26101.

"(2) There are authorized to be appropriated to the
Secretary \$30,000,000 for fiscal year 1996, for carrying
out section 26102.

"(c) FISCAL YEAR 1997.—(1) There are authorized
to be appropriated to the Secretary \$45,000,000 for fiscal
year 1997, for carrying out section 26101.

"(2) There are authorized to be appropriated to the
 Secretary \$40,000,000 for fiscal year 1997, for carrying
 out section 26102.

4 "(d) FUNDS TO REMAIN AVAILABLE.—Funds made
5 available under this section shall remain available until ex6 pended.

7 **"SEC. 26105. DEFINITIONS.** 

8 "For purposes of this chapter—

9 ''(1) the term 'financial assistance' includes 10 grants, contracts, and cooperative agreements;

''(2) the term 'high-speed rail' has the meaning
given such term under section 511(n) of the Railroad Revitalization and Regulatory Reform Act of
1976;

15 ''(3) the term 'publicly funded costs' means the
16 costs funded after April 29, 1993, by Federal, State,
17 and local governments;

"(4) the term 'State' means any of the several
States, the District of Columbia, Puerto Rico, the
Northern Mariana Islands, the Virgin Islands,
Guam, American Samoa, and any other territory or
possession of the United States; and

23 "(5) the term 'United States private business'
24 means a business entity organized under the laws of
25 the United States, or of a State, and conducting

substantial business operations in the United
 States.".

3 (b) CONFORMING AMENDMENTS.—(1) The table of 4 chapters of subtitle V of title 49, United States Code, is 5 amended by striking the items relating to part D and in-6 serting in lieu thereof the following:

"PART D—HIGH-SPEED RAIL

"281. LAW ENFORCEMENT ...... 28101".

7 (2) The table of sections of chapter 281 of title 49,
8 United States Code, as such chapter is redesignated by
9 subsection (a)(1) of this section, is amended—

10 (A) by striking "26101" and inserting in lieu
11 thereof "28101"; and

(B) by striking "26102" and inserting in lieu
thereof "28102".

 $\bigcirc$