H. R. 4867

IN THE SENATE OF THE UNITED STATES

August 17 (legislative day, August 11), 1994 Received

AN ACT

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

SECTION 1. SHORT TITLE.

6 SEC. 2. FINDINGS.

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- 7 The Congress finds that—
- 8 (1) high-speed rail offers safe and efficient
- 9 transportation in certain densely traveled corridors
- 10 linking major metropolitan areas in the United
- 11 States;

- 1 (2) high-speed rail may have environmental ad-2 vantages over certain other forms of intercity trans-3 portation;
 - (3) Amtrak's Metroliner service between Washington, District of Columbia, and New York, New York, the United States premiere high-speed rail service, has shown that Americans will use high-speed rail when that transportation option is available;
 - (4) new high-speed rail service should not receive Federal subsidies for operating and maintenance expenses;
 - (5) State and local governments should take the prime responsibility for the development and implementation of high-speed rail service;
 - (6) the private sector should participate in 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;

1	(8) improvement of existing technologies can fa-
2	cilitate the development of high-speed rail systems in
3	the United States; and
4	(9) Federal assistance is required for the im-
5	provement, adoption, and integration of developed
6	technologies for commercial application in high-
7	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.
15	(2) Subtitle V of title 49, United States Code, is
16	amended by inserting after part C the following new part:
17	"PART D—HIGH-SPEED RAIL
18	"CHAPTER 261—HIGH-SPEED RAIL
19	ASSISTANCE
	"Sec. "26101. Corridor planning. "26102. High-speed rail technology improvements. "26103. Safety regulations. "26104. Authorization of appropriations. "26105. Definitions.
20	"SEC. 26101. CORRIDOR PLANNING.
21	"(a) Corridor Planning Assistance.—(1) The

22 Secretary may provide under this section financial assist-

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 4 "(2) No less than 20 percent of the publicly funded costs associated with eligible activities shall come from State and local sources, not including funds from any Fed-7 eral program. "(b) ELIGIBLE ACTIVITIES.—(1) A corridor planning 8 activity is eligible for financial assistance under subsection 10 (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— 15 "(A) environmental assessments; "(B) feasibility studies emphasizing commercial 16 17 technology improvements or applications; "(C) economic analyses, including ridership, 18 19 revenue, and operating expense forecasting; "(D) assessing the impact on rail employment 20 of developing high-speed rail corridors; 21 22 "(E) assessing community economic impacts; "(F) coordination with State and metropolitan 23 24 area transportation planning and corridor planning

with other States:

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"(G) operational planning; 1 2 "(H) route selection analyses and purchase of rights-of-way for proposed high-speed rail service; 3 "(I) preliminary engineering and design; 4 "(J) identification of specific improvements to a corridor, including electrification, line straightening 6 and other right-of-way improvements, bridge reha-7 bilitation and replacement, use of advanced loco-8 motives and rolling stock, ticketing, coordination 9 with other modes of transportation, parking and 10 11 other means of passenger access, track, signal, station, and other capital work, and use of intermodal 12 13 terminals: "(K) preparation of financing plans 14 and 15 prospectuses; and "(L) creation of public/private partnerships. 16 17 "(2) No financial assistance shall be provided under this section for corridor planning with respect to the main 18 line of the Northeast Corridor, between Washington, District of Columbia, and Boston, Massachusetts. 21 "(c) Criteria for Determining Financial As-SISTANCE.—Selection by the Secretary of recipients of financial assistance under this section shall be based on such criteria as the Secretary considers appropriate, including— 25

- "(1) the relationship of the corridor to the Sec-1 2 retary's national high-speed ground transportation policy; 3 4 "(2) the extent to which the proposed planning 5 focuses on systems which will achieve sustained speeds of 125 mph or greater; 6 "(3) the integration of the corridor into metro-7 politan area and statewide transportation planning; 8 "(4) the potential interconnection of the cor-9 10 ridor with other parts of the Nation's transportation 11 system, including the interconnection with other 12 countries; "(5) the anticipated effect of the high-speed rail 13 14 service on the congestion of other modes of transpor-15 tation; "(6) whether the work to be funded will aid the 16 17 efforts of State and local governments to comply 18 with the Clean Air Act (42 U.S.C. 7401 et seq.); 19 "(7) the past and proposed financial commit-20 ments and other support of State and local governments and the private sector to the proposed high-21 22 speed rail program, including the acquisition of roll-23 ing stock;
- 24 "(8) the estimated level of ridership;

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

- 1 State or local government or public authority, or agency
- 2 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.
- 13 "(a) FISCAL YEAR 1995.—There are authorized to
- 14 be appropriated to the Secretary \$29,000,000 for fiscal
- 15 year 1995, for carrying out sections 26101 and 26102.
- 16 "(b) FISCAL YEAR 1996.—(1) There are authorized
- 17 to be appropriated to the Secretary \$40,000,000 for fiscal
- 18 year 1996, for carrying out section 26101.
- 19 "(2) There are authorized to be appropriated to the
- 20 Secretary \$30,000,000 for fiscal year 1996, for carrying
- 21 out section 26102.
- 22 "(c) FISCAL YEAR 1997.—(1) There are authorized
- 23 to be appropriated to the Secretary \$45,000,000 for fiscal
- 24 year 1997, for carrying out section 26101.

"(2) There are authorized to be appropriated to the 1 Secretary \$40,000,000 for fiscal year 1997, for carrying out section 26102. 3 "(d) Funds to Remain Available.—Funds made 4 available under this section shall remain available until expended. 6 "SEC. 26105. DEFINITIONS. "For purposes of this chapter— 8 9 "(1) the term 'financial assistance' includes grants, contracts, and cooperative agreements; 10 "(2) the term 'high-speed rail' has the meaning 11 given such term under section 511(n) of the Rail-12 road Revitalization and Regulatory Reform Act of 13 1976: 14 15 "(3) the term 'publicly funded costs' means the costs funded after April 29, 1993, by Federal, State, 16 17 and local governments; "(4) the term 'Secretary' means the Secretary 18 19 of Transportation; "(5) the term 'State' means any of the several 20 21 States, the District of Columbia, Puerto Rico, the 22 Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any other territory or 23 possession of the United States; and 24

1	"(6) the term 'United States private business'
2	means a business entity organized under the laws of
3	the United States, or of a State, and conducting
4	substantial business operations in the United
5	States.".
6	(b) Conforming Amendments.—(1) The table of
7	chapters of subtitle V of title 49, United States Code, is
8	amended by striking the items relating to part D and in-
9	serting in lieu thereof the following:
	"PART D—HIGH-SPEED RAIL
	"261. HIGH-SPEED RAIL ASSISTANCE
	"PART E—MISCELLANEOUS
	"281. LAW ENFORCEMENT
10	(2) The table of sections of chapter 281 of title 49,
11	United States Code, as such chapter is redesignated by
12	subsection (a)(1) of this section, is amended—
13	(A) by striking "26101" and inserting in lieu
14	thereof "28101"; and
15	(B) by striking "26102" and inserting in lieu
16	thereof "28102".
	Passed the House of Representatives August 16,
	1994.
	Attest: DONNALD K. ANDERSON,
	Clerk.