

105TH CONGRESS
2D SESSION

H. R. 4488

To ensure effective rail competition and maintain reasonable rates in the
absence of effective competition.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1998

Mr. MORAN of Kansas introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To ensure effective rail competition and maintain reasonable
rates in the absence of effective competition.

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 “Rail Service Improve-
5 ment Act of 1998”.

6 **SEC. 2. OFFERS OF FINANCIAL ASSISTANCE TO AVOID**
7 **ABANDONMENT AND DISCONTINUANCE.**

8 Section 10904 of title 49, United States Code, is
9 amended—

1 (1) in subsection (c), by striking “4 months”
2 and inserting “16 months”; and

3 (2) in subsections (d)(1) and (f)(3), by striking
4 “4-month” each place it appears and inserting “16-
5 month”.

6 **SEC. 3. RATE CASE PROCEDURES.**

7 Not later than 1 year after the date of the enactment
8 of this Act, the Surface Transportation Board shall—

9 (1) identify, and to the extent practicable imple-
10 ment, improvements to its procedures for deciding
11 whether a rate, classification, rule, or order of a rail
12 carrier is in violation of part A of subtitle IV of title
13 49, United States Code, that will result in a more
14 expeditious resolution of issues and a less expensive
15 process for parties initiating a complaint; and

16 (2) transmit to the Congress a report includ-
17 ing—

18 (A) a description of actions taken under
19 paragraph (1);

20 (B) a description of further actions of the
21 same nature anticipated but not yet taken; and

22 (C) recommendations for any changes in
23 law required to make further improvements de-
24 scribed in paragraph (1).

1 **SEC. 4. CLARIFICATION OF RAIL TRANSPORTATION POL-**
2 **ICY.**

3 Section 10101 of title 49, United States Code, is
4 amended—

5 (1) by inserting “(a) IN GENERAL.—” before
6 “In regulating”; and

7 (2) by adding at the end the following:

8 “(b) PRIMARY OBJECTIVES.—The primary objectives
9 of the rail transportation policy of the United States shall
10 be—

11 “(1) to ensure effective competition among rail
12 carriers at origin and destination;

13 “(2) to maintain reasonable rates in the ab-
14 sence of effective competition; and

15 “(3) to ensure the continued health and viabil-
16 ity of the railroad industry.”.

17 **SEC. 5. APPROVAL OF ABANDONMENT OR DISCONTINU-**
18 **ANCE.**

19 Section 10903(e)(1)(B) of title 49, United States
20 Code, is amended by inserting “or are important to pro-
21 tect the potential for later revival of the railroad line as
22 an economically viable railroad line” after “convenience
23 and necessity”.

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