

103^D CONGRESS
2^D SESSION

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,*

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
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;

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

10 (4) new high-speed rail service should not re-
11 ceive Federal subsidies for operating and mainte-
12 nance expenses;

13 (5) State and local governments should take the
14 prime responsibility for the development and imple-
15 mentation of high-speed rail service;

16 (6) the private sector should participate in
17 funding the development of high-speed rail systems;

18 (7) in some intercity corridors, Federal plan-
19 ning assistance may be required to supplement the
20 funding commitments of State and local govern-
21 ments and the private sector to ensure the adequate
22 planning, including reasonable estimates of the costs
23 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-

1 ance to a public agency or group of public agencies for
2 corridor planning for up to 50 percent of the publicly
3 funded costs associated with eligible activities.

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

8 “(b) ELIGIBLE ACTIVITIES.—(1) A corridor planning
9 activity is eligible for financial assistance under subsection
10 (a) if the Secretary determines it to be necessary to estab-
11 lish appropriate engineering, operational, financial, envi-
12 ronmental, or socioeconomic projections preliminary to im-
13 plementation of specific high-speed rail improvements. Eli-
14 gible corridor planning activities include—

15 “(A) environmental assessments;

16 “(B) feasibility studies emphasizing commercial
17 technology improvements or applications;

18 “(C) economic analyses, including ridership,
19 revenue, and operating expense forecasting;

20 “(D) assessing the impact on rail employment
21 of developing high-speed rail corridors;

22 “(E) assessing community economic impacts;

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

1 “(G) operational planning;

2 “(H) route selection analyses and purchase of
3 rights-of-way for proposed high-speed rail service;

4 “(I) preliminary engineering and design;

5 “(J) identification of specific improvements to a
6 corridor, including electrification, line straightening
7 and other right-of-way improvements, bridge reha-
8 bilitation and replacement, use of advanced loco-
9 motives and rolling stock, ticketing, coordination
10 with other modes of transportation, parking and
11 other means of passenger access, track, signal, sta-
12 tion, and other capital work, and use of intermodal
13 terminals;

14 “(K) preparation of financing plans and
15 prospectuses; and

16 “(L) creation of public/private partnerships.

17 “(2) No financial assistance shall be provided under
18 this section for corridor planning with respect to the main
19 line of the Northeast Corridor, between Washington, Dis-
20 trict of Columbia, and Boston, Massachusetts.

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

1 “(1) the relationship of the corridor to the Sec-
2 retary’s national high-speed ground transportation
3 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;

7 “(3) the integration of the corridor into metro-
8 politan area and statewide transportation planning;

9 “(4) the potential interconnection of the cor-
10 ridor with other parts of the Nation’s transportation
11 system, including the interconnection with other
12 countries;

13 “(5) the anticipated effect of the high-speed rail
14 service on the congestion of other modes of transpor-
15 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 (42 U.S.C. 7401 et seq.);

19 “(7) the past and proposed financial commit-
20 ments and other support of State and local govern-
21 ments and the private sector to the proposed high-
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.

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

4 “(d) FUNDS TO REMAIN AVAILABLE.—Funds made
5 available under this section shall remain available until ex-
6 pended.

7 **“SEC. 26105. DEFINITIONS.**

8 “For purposes of this chapter—

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

11 “(2) the term ‘high-speed rail’ has the meaning
12 given such term under section 511(n) of the Rail-
13 road Revitalization and Regulatory Reform Act of
14 1976;

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

18 “(4) the term ‘Secretary’ means the Secretary
19 of Transportation;

20 “(5) the term ‘State’ means any of the several
21 States, the District of Columbia, Puerto Rico, the
22 Northern Mariana Islands, the Virgin Islands,
23 Guam, American Samoa, and any other territory or
24 possession of the United States; and

