

LEGISLATIVE ISSUE BRIEF

March 13, 2016

FIXING AMERICA'S SURFACE TRANSPORTATION (FAST) ACT – RAIL TITLE

The expansion of our national intercity passenger rail network, including high-speed passenger rail corridors, is a priority for the American Public Transportation Association (APTA). The recently passed FAST Act is the first surface transportation authorization bill to include a substantial rail title. The bill authorizes a total of \$10.3 billion over five years for high-speed, intercity, passenger, and freight rail funding and includes important Amtrak, safety, financing, and project delivery provisions.

The Act establishes three new rail grant programs. The Consolidated Rail Infrastructure and Safety Improvements, Federal-State Partnership for State of Good Repair, and Restoration and Enhancement Grants, with funding of roughly \$2.2 billion for the new programs over the life of the bill. Eligible activities include: deployment of rail safety technology, workforce development, research initiatives, regional service planning, asset replacement or rehabilitation projects, and operating assistance for intercity passenger rail service.

It authorizes nearly \$8.1 billion for Amtrak and includes several Amtrak fiscal and managerial reforms and mandates. Amtrak is required separate revenues and expenses of the Northeast Corridor from the activities of the National Network. Amtrak must also develop annual business line and asset plans, and create a State-Supported Route Committee.

It directs intercity and passenger rail providers to develop rail safety actions plans and for certain states to complete highway-rail grade crossing actions plans. The US DOT must promulgate regulations related to alerters, redundant signal protection, inward- and outward-facing cameras, and track inspection. The Act also includes \$199 million for the implementation of positive train control (PTC) systems. The passenger rail liability cap is increased from \$200 million to \$295 million per incident, and it adjusts the cap every 5 years to reflect changes in the consumer price index (CPI). The Secretary is also required to complete a freight-commuter rail shared use study that contains an evaluation of rail liability requirements.

Finally, the Act makes several enhancements to the Railroad Rehabilitation and Improvement Financing (RRIF) program. It allows non-federal resources to fund credit risk premiums, mandates application status updates, and allows program applicants to enter into master credit agreements. Lastly, it includes provisions to reduce administrative barriers that lengthen project delivery time.

APTA POSITION

- **APTA thanks Members of Congress for including a substantial rail title with passenger rail funding in the FAST Act.**
- **APTA urges Congress to appropriate funding for all passenger rail programs at no less than authorized levels.**