

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
FACT SHEET
H.R. 6248, THE “THINK DIFFERENTLY TRANSPORTATION ACT”
May 22, 2024

On November 6, 2023, Representative Marcus J. Molinaro (R-NY) introduced H.R. 6248, the “Think Differently Transportation Act”, which amends Amtrak’s General and Legislative Annual Report by requiring an action plan for bringing Amtrak rail cars and Amtrak-served stations into compliance with the Americans with Disabilities Act of 1990 (ADA), and a status report on efforts to bring Amtrak-served stations into compliance with the ADA. On January 31, 2024, the House Committee on Transportation and Infrastructure reported [H.R. 6248](#) favorably to the House by voice vote. *See* [H. Rept. 118-510](#). On May 21, the House of Representatives passed the bipartisan bill by voice vote. Senator Tammy Duckworth (D-IL) introduced a bipartisan companion bill (S. 4107).

Summary

H.R. 6248, the Think Differently Transportation Act, amends the annual Amtrak General and Legislative report¹ with two new requirements. First, the bill requires an action plan for bringing Amtrak rail cars and Amtrak-served stations that are not in compliance with the ADA into compliance with the Act as required under a 2020 settlement agreement between Amtrak and the U.S. Department of Justice (DOJ). Second, the bill requires a status report on ADA compliance at three categories of Amtrak-served stations:

- Amtrak-served stations for which Amtrak is solely responsible for compliance with the ADA. The report requires a timeline for any required compliance with the ADA;
- Amtrak-served stations for which Amtrak has a shared responsibility for compliance with the ADA. The report requires a timeline for any required compliance with the ADA for portions of the station for which Amtrak is the responsible party, as well as identification of other entities that are responsible for other portions of the station, and a timeline for their compliance with the ADA; and
- The status of ADA compliance for Amtrak-served stations for which Amtrak is not the responsible party, nor is responsible for a portion of the station. This report must identify the entity or entities that have responsibility for ADA compliance.

The determination of which entity or entities are responsible for compliance with the ADA will be made through a station assessment carried out by Amtrak. The bill defines the term station assessment as a: “review of all components of a station including the building, platform, path to train, and parking areas, as required by the Access Board, on the date of enactment of the Think Differently Transportation Act.”

¹ 49 U.S.C. § 24315(b).

Background

In December 2020, Amtrak entered into a settlement agreement with DOJ wherein Amtrak paid more than \$2 million to approximately 1,500 individuals who experienced disability discrimination while utilizing its services. The settlement agreement required Amtrak to complete designs that would make at least 135 additional existing stations accessible (15 per year), including completing construction of 90 stations and beginning construction of the remaining 45 stations by 2029.² It also requires Amtrak to submit a biannual ADA Progress Report to DOJ and make it available to the public.³

According to the most recent report, which covered compliance activity through October 31, 2023, Amtrak has reached substantial completion of construction at 185 of 385 stations where Amtrak has either full or partial responsibility.⁴

According to the Congressional Budget Office (CBO) Cost Estimate because the Think Differently Transportation Act is a requirement on a nonfederal entity, it would not increase Federal spending.⁵

²See [Settlement Agreement Between the United States of America and the National Railroad Passenger Corporation](#) (December 2, 2020), at para. 15.

³*Id.* at para. 37.

⁴See [Americans with Disabilities Act \(ADA\) Progress Report, \(December 2023\)](#), at 4.

⁵ Congressional Budget Office, [Cost Estimate, H.R. 6248, the Think Differently Transportation Act](#) (March 29, 2024), at 1.