

S 1389

Surface Transportation Board Reauthorization Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Jul 10, 2003

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 253.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 253. (Aug 26, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/1389>

Sponsor

Name: Sen. McCain, John [R-AZ]

Party: Republican • State: AZ • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hollings, Ernest F. [D-SC]	D · SC		Jul 10, 2003

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Aug 26, 2003

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
108 HR 2192	Related bill	May 22, 2003: Referred to the Subcommittee on Railroads.

Surface Transportation Board Reauthorization Act of 2003 - (Sec. 2) Authorizes appropriations to the Surface Transportation Board (STB) for FY 2004 through 2008.

(Sec. 3) Amends Federal transportation law to subject to U.S. Senate confirmation the President's designation of one of the STB members to serve as Chairman.

(Sec. 4) Directs the STB to promulgate supplemental regulations under Federal transportation law which shall establish: (1) clear standards for determining which small rail carrier rate challenges are eligible to use an expedited procedure, taking into account the size of the shipper, the value of the case, and other relevant factors; (2) clear tests for determining the reasonableness of such challenged rates; (3) streamlined evidentiary requirements; and (4) costs that do not exceed the cost of bringing a civil action in a U.S. district court.

Requires the revised regulations also to provide a procedure that: (1) will permit rate challenges to be completed within six months after the close of the administrative record (if the expedited method is used); (2) may provide for an initial determination of such rate challenges by an administrative law judge, with an opportunity for appeal of such determination to the full Board; and (3) will provide for full Board review.

Requires the STB to notify specified congressional committees if it determines that additional changes in the regulations are appropriate and require commensurate changes in statutory law.

(Sec. 5) Amends Federal transportation law regarding employee protective arrangements in transactions involving rail carriers.

Declares that terms of the agreement entitled "Revised Standards for Preemption of Collective Bargaining Agreements for Transactions Initiated Pursuant to Section 11323 of the Interstate Commerce Act" dated March 21, 2001, by and between six Class I railroads and 11 labor organizations, and the terms of the agreement entitled "Revised Standards for Preemption of Collective Bargaining Agreements for Transactions Initiated Pursuant to Section 11323 of the Interstate Commerce Act" dated February 11, 2000, by and between five Class I railroads, the National Carriers' Conference Committee, and the United Transportation Union (except for the provisions in both agreements stating `The terms of this agreement will become null and void when enacted into law'), shall apply to the signatories to such agreements in connection with approved transactions for consolidation, merger, and acquisition of control covered by such agreements, unless the affected rail carriers and the applicable labor organization or organizations agree on alternative terms.

(Thus provides that when newly consolidated rail operations involving the agreement signatories are subject to multiple collective bargaining agreements, the labor union parties, rather than the rail management parties, may choose which collective bargaining agreement will govern the new operations.)

Declares further that the terms of such agreements shall not be exempt from the antitrust laws and from all other law, including State and municipal law.

Actions Timeline

- **Aug 26, 2003:** Committee on Commerce, Science, and Transportation. Reported by Senator McCain under authority of the order of the Senate of 07/29/03 legislative day 07/21/03 with an amendment. With written report No. 108-129.
- **Aug 26, 2003:** Committee on Commerce, Science, and Transportation. Reported by Senator McCain under authority of the order of the Senate of 07/29/03 legislative day 07/21/03 with an amendment. With written report No. 108-129.
- **Aug 26, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 253.
- **Jul 17, 2003:** Committee on Commerce, Science, and Transportation. Ordered to be reported with amendments favorably.
- **Jul 10, 2003:** Introduced in Senate
- **Jul 10, 2003:** Sponsor introductory remarks on measure. (CR 7/11/2003 S9248)
- **Jul 10, 2003:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR 7/11/2003 S9248)