

S 158

Surface Transportation Board Reauthorization Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Jan 25, 2011

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Jan 25, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/158>

Sponsor

Name: Sen. Rockefeller, John D., IV [D-WV]

Party: Democratic • **State:** WV • **Chamber:** Senate

Cosponsors (1 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------------|---------------|------|--------------|
| Sen. Hutchison, Kay Bailey [R-TX] | R · TX | | Jan 25, 2011 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---|---------|-------------|--------------|
| Commerce, Science, and Transportation Committee | Senate | Referred To | Jan 25, 2011 |

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

Surface Transportation Board Reauthorization Act of 2011 - Authorizes appropriations for FY2011-FY2015 for the Surface Transportation Board.

Increases Board membership from three to five members.

Removes the Board from the Department of Transportation (DOT) to establish it as an independent U.S. agency.

Grants the DOT Inspector General authority to review only Board financial management, property management, and business operations to determine compliance with applicable federal laws and detect fraud and abuse.

Revises member composition of the Railroad-Shipper Transportation Advisory Council.

Revises the objectives of U.S. rail transportation policy, including protection of rail shippers.

Requires the Board to: (1) maintain an Office of Public Assistance, Governmental Affairs, and Compliance; and (2) appoint a rail customer advocate to resolve rail customer complaints.

Authorizes the Board to investigate rail carrier and pipeline carrier violations on its own initiative as well as on complaint (as under existing law). Requires proceedings to determine the reasonableness of a rate charged by a carrier be initiated only upon complaint.

Requires the Board to: (1) establish a database of rail service complaints it has received; and (2) post a quarterly report of such complaints on its website.

Authorizes the Board to revoke class exemptions to rail carrier requirements to protect rail shippers from the abuse of market power.

Requires Board studies on: (1) class exemptions; (2) the Uniform Railroad Costing System; (3) use of a replacement cost approach to value rail facility assets; (4) rail practices; and (5) rail interchange rules.

Directs the Board to require Class I railroad carriers and other railroad carriers to report regularly on railroad service metrics and other performance data as prescribed by the Board.

Delineates requirements regarding proof and admissibility of evidence of rail carrier interline rate agreements.

Prohibits the Board from issuing a person (other than a rail carrier) a certificate to acquire a railroad line or extended or additional railroad line that includes interchange commitments or other mechanisms restricting the ability of the purchaser or tenant to interchange traffic with another carrier unless they are reasonable and in the public interest. Delineates a process for persons to challenge existing interchange commitments as well as certain rights and remedies with respect to them.

Directs the Secretary to make grants available to assist any Class III rail carrier under Board jurisdiction with the credit risk premium of a direct loan or loan guarantee made to purchase or lease a rail line.

Requires a Class I rail carrier to establish, upon rail customer request, reasonable bottleneck and terminal switching rates for single line movement or interline movement rail transportation over a bottleneck rail segment in which the carrier has market dominance.

Revises criteria authorizing the Board to require a rail carrier to make its terminal available to another rail carrier. Authorizes the Board to require a Class I rail carrier (including any other rail carrier deemed appropriate) to make its terminal facilities available for use by another carrier in cases where it has market dominance in a terminal area.

Changes from discretionary to mandatory the authority of the Board to establish reasonable rail rate standards for terminal use.

Requires the Board to establish a binding arbitration process to resolve rail rate, practice, and common carrier service disputes.

Revises maximum rates of relief that the Board may provide to railroad shippers in certain rail rate reasonableness cases. Sets forth time limits for Board review of such cases.

Revises requirements with respect to the approval or denial of the consolidation, merger, or acquisition of control of rail carriers to authorize the Board to take into consideration significant effects of the transaction on public health, safety, and the environment as well as intercity rail passenger transportation and commuter rail passenger transportation.

Actions Timeline

- **Jan 25, 2011:** Introduced in Senate
- **Jan 25, 2011:** Read twice and referred to the Committee on Commerce, Science, and Transportation.