

S 808

Surface Transportation Board Reauthorization Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Mar 19, 2015

Current Status: Became Public Law No: 114-110.

Latest Action: Became Public Law No: 114-110. (Dec 18, 2015)

Law: 114-110 (Enacted Dec 18, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/808>

Sponsor

Name: Sen. Thune, John [R-SD]

Party: Republican • State: SD • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Nelson, Bill [D-FL]	D · FL		Mar 24, 2015

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	May 21, 2015
Transportation and Infrastructure Committee	House	Bills of Interest - Exchange of Letters	Jun 24, 2016

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

(This measure has not been amended since it was introduced. The expanded summary of the Senate reported version is repeated here.)

## **Surface Transportation Board Reauthorization Act of 2015**

(Sec. 3) Removes the Surface Transportation Board from the Department of Transportation (DOT) to establish it as an independent U.S. agency.

Repeals the requirement that DOT provide administrative support for the Board.

(Sec. 4) Increases Board membership from three to five members.

Increases from two to three the minimum number of Board members who must have professional standing and demonstrated knowledge in the fields of transportation, transportation regulation, or economic regulation.

Increases from one to two the minimum number of Board members who must have professional or business experience (including agriculture) in the private sector.

(Sec. 5) Authorizes a majority of Board members to hold a meeting not open to the public to discuss official business if:

- no formal or informal vote or other official agency action is taken,
- each individual present is a Board member or employee, and
- the Board's General Counsel is present.

Requires the Board to disclose topics and participants within two business days after any non-public meeting, unless the discussion relates to an ongoing proceeding, in which case the required disclosure is postponed till the date of the final Board decision.

(Sec. 6) Requires the Board to:

- establish a database of rail service complaints it has received, and
- post quarterly reports of rail rate reasonableness cases as well as rail service complaints it has received on its website.

(Sec. 7) Reauthorizes appropriations for FY2016-FY2020 for the Board.

(Sec. 8) Allows a rail carrier's agent to be located outside of Washington, DC.

(Sec. 9) Grants the DOT Inspector General authority to review only the financial management, property management, and business operations of the Board to determine its compliance with federal laws, rules, and regulations. Authorizes appropriations.

(Sec. 11) Requires the Board to:

- maintain one or more simplified and expedited methods for determining the reasonableness of challenged rail rates in cases where a full stand-alone cost presentation is too costly, given the value of the case; and
- maintain procedures to ensure expeditious handling of challenges to the reasonableness of rail rates.

Prescribes time limits for Board review of rail rate reasonableness cases, including:

- 150 days for discovery,
- 155 days for development of the evidentiary record,
- 60 days for submission of a closing brief, and
- 180 days for a final Board decision.

Authorizes the Board to extend a timeline after a request from any party or in the interest of due process.

Repeals certain rail service contract limitations involving the transportation of agricultural commodities.

(Sec. 12) Authorizes the Board to investigate rail carrier and pipeline carrier violations on its own initiative as well as on complaint (as under existing law). Prescribes requirements for investigations commenced on the Board's own initiative.

(Sec. 13) Requires the Board to establish a voluntary binding arbitration process to resolve rail rate and practice disputes.

(Sec. 14) Directs the Government Accountability Office to study rail rate contract proposals containing multiple origin-to-destination movements.

(Sec. 15) Directs the Board to report to Congress on whether:

- current large rate case methodologies are sufficient, not unduly complex, and cost effective; and
- sound economic alternative methodologies exist, or could be developed, to streamline and expedite large rate cases.

Requires the Board to make quarterly reports to Congress on its progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

(Sec. 16) Requires Board standards and procedures for establishing revenue levels for rail carriers to be adequate for the infrastructure and investment needed to meet the present and future demand for rail services.

(Sec. 17) Declares that nothing in this Act may be construed to affect any suit commenced by or against the Board, or any proceeding or challenge pending before it, before the enactment of this Act.

## Actions Timeline

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- **Dec 18, 2015:** Signed by President.
- **Dec 18, 2015:** Became Public Law No: 114-110.
- **Dec 15, 2015:** Presented to President.
- **Dec 10, 2015:** Mr. Shuster moved to suspend the rules and pass the bill.
- **Dec 10, 2015:** Considered under suspension of the rules. (consideration: CR H9218-9223)
- **Dec 10, 2015:** DEBATE - The House proceeded with forty minutes of debate on S. 808.
- **Dec 10, 2015:** DEBATE - The House resumed debate on S. 808.
- **Dec 10, 2015:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H9218-9221)
- **Dec 10, 2015:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H9218-9221)
- **Dec 10, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 23, 2015:** Received in the House.
- **Jun 23, 2015:** Held at the desk.
- **Jun 19, 2015:** Message on Senate action sent to the House.
- **Jun 18, 2015:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S4329-4331; text as passed Senate: CR S4329-4331)
- **Jun 18, 2015:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S4329-4331; text as passed Senate: CR S4329-4331)
- **May 21, 2015:** Committee on Commerce, Science, and Transportation. Reported by Senator Thune without amendment. With written report No. 114-52.
- **May 21, 2015:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 94.
- **Mar 25, 2015:** Committee on Commerce, Science, and Transportation. Ordered to be reported without amendment favorably.
- **Mar 19, 2015:** Introduced in Senate
- **Mar 19, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.