

1 **SEC. 2309. SURFACE TRANSPORTATION BOARD PASSENGER**
2 **RAIL PROGRAM.**

3 The Surface Transportation Board shall—

4 (1) establish a passenger rail program with pri-
5 mary responsibility for carrying out the Board's pas-
6 senger rail responsibilities; and

7 (2) hire up to 10 additional full-time employees
8 to assist in carrying out the responsibilities referred
9 to in paragraph (1).

10 **SEC. 2310. RAILROAD RIGHTS-OF-WAY.**

11 (a) REVIEW.—The Comptroller General of the United
12 States shall—

13 (1) conduct a review of the exemption for rail-
14 road rights-of-way under section 306108 of title 54,
15 United States Code, to determine whether and to
16 what extent the exemption streamlines compliance
17 with such section; and

18 (2) quantify the efficiencies achieved by such
19 exemption and the remaining inefficiencies.

20 (b) CONSULTATION.—In conducting the review pur-
21 suant to subsection (a), the Comptroller General shall con-
22 sult with the Secretary, the Advisory Council on Historic
23 Preservation, the National Conference of State Historic
24 Preservation Officers, the National Association of Tribal
25 Historic Preservation Officers, the Department of the In-
26 terior, and representatives of the railroad industry.

1 (c) RECOMMENDATIONS.—Not later than 1 year after
2 the date of enactment of this Act, the Comptroller General
3 shall submit a report to the Committee on Commerce,
4 Science, and Transportation of the Senate and the Com-
5 mittee on Transportation and Infrastructure of the House
6 of Representatives that—

7 (1) describes the results of the review conducted
8 pursuant to subsection (a); and

9 (2) includes recommendations for any regu-
10 latory or legislative amendments that may further
11 streamline compliance with the requirements under
12 section 306108 of title 54, United States Code, in
13 a manner that is consistent with railroad safety and
14 the policies and purposes of such section, including
15 recommendations regarding—

16 (A) the property based exemption; and

17 (B) ways to improve the process, while en-
18 suring that historical properties remain pro-
19 tected under such section.

20 (d) REPORT TO CONGRESS.—Not later than 180 days
21 after date of enactment of this Act, the Secretary and the
22 Advisory Council on Historic Preservation shall submit a
23 report to the Committee on Commerce, Science, and
24 Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of Rep-
2 resentatives that—

3 (1) addresses the recommendations received
4 from the Comptroller General pursuant to subsection
5 (c)(2); and

6 (2) the actions that the Secretary will take to
7 implement such recommendations.

8 **Subtitle D—Rail Safety**

9 **SEC. 2401. RAILWAY-HIGHWAY CROSSINGS PROGRAM EVAL-** 10 **UATION.**

11 (a) IN GENERAL.—The Secretary shall evaluate the
12 requirements of the railway-highway crossings program
13 authorized under section 130 of title 23, United States
14 Code, to determine whether—

15 (1) the requirements of the program provide
16 States sufficient flexibility to adequately address
17 current and emerging highway-rail grade crossing
18 safety issues;

19 (2) the structure of the program provides suffi-
20 cient incentives and resources to States and local
21 agencies to make changes at highway-rail grade
22 crossings that are most effective at reducing deaths
23 and injuries;

24 (3) there are appropriate tools and resources to
25 support States in using data driven programs to de-