

49 U.S.C.A. § 20102

C

Effective: [See Text Amendments]

United States Code Annotated [Currentness](#)
Title 49. Transportation ([Refs & Annos](#))
Subtitle V. Rail Programs
Part A. Safety
 [⌕] [Chapter 201.](#) General ([Refs & Annos](#))
 [⌕] [Subchapter I.](#) General

→ § 20102. Definitions

In this part--

(1) "railroad"--

(A) means any form of nonhighway ground transportation that runs on rails or electromagnetic guideways, including--

(i) commuter or other short-haul railroad passenger service in a metropolitan or suburban area and commuter railroad service that was operated by the Consolidated Rail Corporation on January 1, 1979; and

(ii) high speed ground transportation systems that connect metropolitan areas, without regard to whether those systems use new technologies not associated with traditional railroads; but

(B) does not include rapid transit operations in an urban area that are not connected to the general railroad system of transportation.

(2) "railroad carrier" means a person providing railroad transportation.

CREDIT(S)

(Added [Pub.L. 103-272, § 1\(e\)](#), July 5, 1994, 108 Stat. 863.)

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

1994 Acts.

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 20102(1) | 45:16. | Apr. 14, 1910, ch. 160, § 1, 36 Stat. 298; restated June |

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342,

102

45:22.

22, 1988,
Pub.L. 100-

§ 13(3)(E),

Stat. 632.

Feb. 17, 1911,
ch. 103, § 1,
36 Stat. 913;
June 7, 1924,
ch. 355, § 1,
43 Stat. 659;
restated June
22, 1988,
Pub.L. 100-

342,

45:38(last sentence).

§ 14(1), 102
Stat. 632.May 6, 1910, ch.
208, 36 Stat.
350, § 1(last
sentence);
added June 22,
1988, Pub.L.
100-342, §
15(1)(C), 102
Stat. 633.

ch.

45:61(a).

Mar. 4, 1907,

2939, § 1(a),
34 Stat. 1415;
Dec. 26, 1969,
Pub.L. 91-169,
§ 1, 83 Stat.
463; restated
Nov. 2, 1978,
Pub.L. 95-574,
§ 5, 92 Stat.
2461; June 22,
1988, Pub.L.
100-342, §
16(1)(A), 102
Stat. 634.

ch.

45:61(b)(1).

Mar. 4, 1907,

2939, §
1(b)(1), 34
Stat. 1415;
restated Dec.
26, 1969,
Pub.L. 91-169,
§ 1, 83 Stat.
463; June 22,

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| | | |
|----------------|----------------|---|
| | | 1988, Pub.L. 100-342, § 16(1)(B), 102 Stat. Stat. 634. |
| | 45:431(e). | Oct. 16, 1970, Pub.L. 91-458, § 202(e), 84 Stat. 971; restated June 22, 1988, Pub.L. 100- |
| 342, | | § 7(a), 102 Stat. 628. |
| | 49:App.:26(a). | Feb. 4, 1887, |
| ch. | | 104, 24 Stat. 379, § 25(a); added Feb. 28, 1920, ch. 91, |
| § | | 441, 41 Stat. 498; Aug. 26, 1937, ch. 818, 50 Stat. 835; Sept. 18, |
| 1940, | | ch. 722, § 14(b), 54 |
| Stat. | | 919; restated June 22, 1988, Pub.L. 100- |
| 342, | | § 17(1), 102 Stat. 635. |
| 20102(2) | (no source). | |

Clause (1) is substituted for the source provisions to avoid repeating the definition of "railroad" in each chapter in this part.

Clause (2) is added to distinguish between railroad transportation and the entity providing railroad transportation. [House Report No. 103-180.](#)

CROSS REFERENCES

"Rail" and "railroad" as having same meaning given "railroad" in this section for purposes of public accommodations and services operated by private entities relating to equal opportunity for individuals with disabilities, see [42 USCA § 12181.](#)

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LIBRARY REFERENCES


American Digest System


What constitutes a railroad, see Railroads  2.

NOTES OF DECISIONS

Railroad 1

1. Railroad

Provisions excluding from definition of term "railroad" all rapid transit operations within urban area that are not connected to general railroad system of transportation did not result in commuter authority which was "connected" to general railroad system of transportation being subject to federal regulatory power, including Federal Employers' Liability Act (FELA), where commuter lines were not "connected" to rapid transit lines, but connection was only for service vehicles. [Felton v. Southeastern Pennsylvania Transp. Authority, E.D.Pa.1991, 757 F.Supp. 623](#), affirmed [952 F.2d 59](#). Employers' Liability  2

Federal Railroad Administration's (FRA's) determination that passenger rail system was a "commuter or other short-haul railroad passenger service in a metropolitan or suburban area," as opposed to a "rapid transit operations in an urban area," and thus, was a "railroad" over which FRA had jurisdiction, was entitled to deference, where FRA determined that primary function of the system would be to facilitate commuter traffic to and from work, based upon fact that areas served by the rail corridor were high-employment areas, number of jobs in that corridor was expected to grow by more than 60 percent over the next two decades, locations of various stations were selected because they served large employment bases and provided access to large number of commuters, and work-related trips would account for at least 63% of all trips on the system. [Research Triangle Regional Public Transp. Authority v. U.S., C.A.4 2003, 83 Fed.Appx. 505, 2003 WL 22939283](#), Unreported. Urban Railroads  20

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Current through P.L. 108-498 (excluding P.L. 108-447, 108-458) approved 12-23-04.

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