

## **LAS VEGAS-CALIFORNIA HIGH-SPEED RAIL LINE UNDER STB JURISDICTION, SURFACE TRANSPORTATION BOARD REAFFIRMS**

The federal Surface Transportation Board today reaffirmed its jurisdiction over DesertXpress, a planned high-speed rail line linking Las Vegas and Victorville, Calif.

Supporters of a rival rail service proposal had asked the Board to reopen and reverse its 2007 decision. The California-Nevada Super Speed Train Commission and the American Magline Group, who want to build a magnetic levitation transportation system largely along the same corridor, contend that DesertXpress's project is not within the Board's jurisdiction over interstate commerce and the national rail system because the DesertXpress project would not directly connect to any other rail line.

But the Board said that the California-Nevada Super Speed Train Commission and the American Magline Group had not identified any new evidence or changed circumstances that would justify revisiting the 2007 decision. "Moreover, federal regulation of rail transportation in interstate commerce is intended to avoid a patchwork of conflicting and parochial regulatory actions that impede the flow of people and goods throughout the nation," today's decision said. "We have reviewed the statutory mandates that underlie the need for uniformity and consistency of interstate commerce regulation, and have concluded that these considerations require federal oversight of interstate passenger rail construction projects."

DesertXpress, a privately financed group of companies, plans to construct and operate an approximately 200-mile passenger rail line between California and Las Vegas. The planned route would largely be along Interstate 15. In March 2009, the Federal Railroad Administration issued a draft environmental impact statement on the project. DesertXpress said it intends to apply to the Board for permission to construct and operate the line at the conclusion of the environmental review process.

The Board held an oral hearing on the matter on Oct. 27, 2009.

The full decision in the case, [DesertXpress Enterprises, LLC—Petition for Declaratory Order, STB Finance Docket No. 34914](#), can be found on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov).