

SURFACE TRANSPORTATION BOARD BEGINS PROCEEDING TO DEFINE INTERCITY PASSENGER-TRAIN “ON-TIME PERFORMANCE”

The Surface Transportation Board announced today that it will begin a proceeding to define intercity passenger-railroad “on-time performance” for purposes of Section 213 of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA), 49 U.S.C. § 24308(f). The Board intends to issue in a subsequent decision a notice of proposed rulemaking in this matter, inviting public participation and comment. This decision follows a series of events surrounding the constitutionality of Section 207 of PRIIA in the federal courts, as well as a petition filed by the Association of American Railroads requesting a rulemaking on this matter.

The Board fully recognizes that when Congress enacted PRIIA, it placed importance on the efficient and timely adjudication of on-time performance. Therefore, the Board will develop a definition of on-time performance with public participation through a formal rulemaking so that a process will be in place as Congress intended.

The Board issued its notice today in [On-Time Performance Under Section 213 of the Passenger Rail Investment and Improvement Act of 2008](#), EP 726. That decision may be viewed and downloaded at the STB website, www.stb.dot.gov, under “E-LIBRARY / Decisions & Notices / 05 / 15 / 2015”.

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