

PASSENGER TRAIN DISCONTINUANCE—30-DAY NOTICE

TUESDAY, FEBRUARY 20, 1968

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The committee met at 10 a.m., pursuant to notice, in room 2123, Rayburn House Office Building, Hon. Harley O. Staggers (chairman) presiding.

The CHAIRMAN. The committee will come to order.

The Committee on Interstate and Foreign Commerce this morning is conducting hearings on S. 2711, a bill amending the Interstate Commerce Act, for the purpose of changing what the Interstate Commerce Commission holds is a jurisdictional loophole in section 13a(1), that was disclosed by its recent decision relating to the discontinuance of certain passenger trains by The Atchison, Topeka & Santa Fe Railway Co.

It seems to me that the plain language of section 13a, enacted in 1958, guarantees to the public 30 days' notice before a railroad filing under the terms of this section can take off a passenger train. Nevertheless, the Santa Fe took off four passenger trains 9 days after filing such notice.

However, the determinations as to whether the Santa Fe acted legally in taking off these trains on the ninth day, whether Division 3 of the Commission acted properly on the ninth day in notifying the railroad that it would not require that the trains run an additional 4 months, or whether the full Commission on the 30th day acted responsibly in rejecting an appeal from the Division 3 order, are all not matters before the committee this morning.

Our Subcommittee on Transportation and Aeronautics has been conducting hearings on H.R. 7004 and other bills amending section 13a for other purposes. Those issues also are not before us this morning. We are here today solely on the pending legislation and I trust the testimony will be directed to that end so that we may conclude the hearings in this one session.

(The bill, S. 2711, and departmental reports thereon, follow:)

[S. 2711, 90th Cong., first sess.]

AN ACT To amend section 13(a)(1) of the Interstate Commerce Act, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13a(1) of the Interstate Commerce Act (49 U.S.C. 13a(1)), is amended as follows:

(1) The second sentence is amended by inserting after the word "may" the word "not" and by striking out the word "otherwise".

(2) The third sentence is amended by striking the word "authority" and inserting in lieu thereof the word "jurisdiction" and by changing the period to