



# Railroad & Aviation Transportation

## **RAILROAD AND AVIATION TRANSPORTATION**

The IIJA dedicates up to \$127 billion in investment to modernize rail and aviation infrastructure, focused in large part on improvement of inter-city passenger rail transportation renewal, the rehabilitation of existing facilities, and ensuring increased accessibility and capacity with a decreased environmental footprint.

Stinson's transactional and litigation practice has addressed airports and seaports, highways, toll facilities, bridges, tunnels, and intermodal facilities, in addition to intelligent transportation systems, rail and people mover system projects, transit systems and next generation vehicle technology, such as electric vehicle infrastructure. This experience prepares us to understand IIJA's implications for both the rail and airport projects.

## **RAIL PROJECTS**

The IIJA commits a total of \$102 billion between Fiscal Year 2022 and 2026 to expand existing Federal Railroad Administration programs and to create new opportunities for Amtrak, safety improvements, railroad crossing elimination, inter-city passenger rail and enhancing existing facilities.

## **AIRPORT PROJECTS**

The IIJA dedicates \$25 billion to the improvement of the nation's airport infrastructure. Of that amount, \$5 billion is set aside for efficiency and accessibility upgrades to terminals owned by cities, public authorities, territories or federally recognized Native American Tribal Nations. An additional \$15 billion in grants will be available for projects to improve runways, taxiways, intra-terminal rail and roadway projects and overall safety. Projects to upgrade and improve air traffic facilities have received \$5 billion in funding under the IIJA.

## **AMTRAK**

In keeping with the IIJA's stated purpose of improving the nation's inter-city passenger rail service, the legislation sets aside a total of \$22 billion, plus an additional \$19 billion in fully authorized funds for Amtrak exclusive use. These funds can be used for a variety of projects, including capital renewal projects, rehabilitation of terminals to ensure compliance with the Americans with Disabilities Act and projects

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designed to initiate or upgrade inter-city rail passenger transportation. Grant funding will also be available to Amtrak to cover the cost of new passenger rolling stock and projects to eliminate obsolete assets, such as outdated reservation and ticketing systems.

### CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI)

CRISI grants were established by the Fixing America's Surface Transportation (FAST) Act in 2017 to fund projects that improve the safety, efficiency, and reliability of intercity passenger and freight rail. Under the IIJA, CRISI funding increases to \$5 billion, plus an additional \$5 billion in fully authorized funds, to cover capital projects (such as track and station improvements, track relocation, improvements to efficiency and rail service), trespasser prevention measures, safety and environmental analysis, projects designed to reduce railroad emissions (including rehabilitation of locomotives to increase fuel efficiency and reduce emissions) and the development of emergency plans for communities through which hazardous materials are transported by rail.

These grants are available to states and their political subdivisions, interstate compacts, public agencies, federally recognized Native American Tribal Nations, Amtrak, Class II and III railroads, and entities engaged in rail-related research.

### RAILROAD CROSSING ELIMINATION

The IIJA dedicates \$3 billion, plus an additional \$2.5 billion in fully authorized funds, to projects that eliminate existing grade crossings or reduce their associated risks, including grade separation projects, closing of existing crossings, track relocation, and installation of new and improved protective devices.

Funds will be available to states and their political subdivisions, local government units, public port authorities, metropolitan planning organizations and federally recognized Native American Tribal Nations.

### FEDERAL-STATE PARTNERSHIP FOR INTERCITY PASSENGER RAIL

In addition to the funding allocated to Amtrak, \$36 billion, plus an additional \$7.5 billion in fully authorized funds, has been dedicated to provide funding for projects that seek to improve intercity passenger rail service and capacity through replacement and repair of existing infrastructure, facilities, and equipment, as well as support projects to establish new intercity passenger routes, increase train frequencies and reduce trip times.

These funds will be available to states, their political subdivisions and public agencies, and federally recognized Indian Tribes.

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## RESTORATION AND ENHANCEMENT

\$250 million, plus an additional \$250 million in fully authorized funds, will be available to improve service, efficiency, and operations for existing intercity passenger rail service.

This funding is open to states, their political subdivisions and public agencies, federally recognized Native American Tribal Nations, Amtrak and other passenger rail carriers.

Reach out to our [Infrastructure Task Force](#) for more information on how the IIJA may impact these industries.

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## RELATED CAPABILITIES

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## NEWS

Goldberg Discusses Government Antitrust Scrutiny of Airline Mergers in the *New York Law Journal*  
08.30.2023

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Acquisition of FAA Part 135 Certificates Detailed by Stinson's Goldberg in *The Air & Space Lawyer*  
04.07.2023

### PUBLICATIONS

The Impact of the New Inflation Reduction Act on Infrastructure Initiatives  
08.24.2022