

ICC Termination Act of 1995

RETAINED FUNCTIONS

Rail Regulation (*all administered by STB*):

- Common Carrier Obligation.
- Exemptions.
- Rail Mergers.
- Line Transfers, Leases, and Trackage Rights.
- Line Sales to Noncarriers.
- Labor Protection~
- Rate Regulation for Common Carriage, including:
 - Public Disclosure of Rates and Service Terms.
 - Advance Notice of Rate Increases or Changes in Service Terms
 - Maximum Rate Reasonableness for Captive Traffic. Contracts for Transportation of Agricultural Products requirements, including:
 - Filing of Summaries.
 - Protest and Matching Rights.
 - Equipment Limitations.
- Rail Cost Adjustment Factor (RCAF) Computation
- Reasonableness of Practices.
- Rate Discrimination
- Car Supply and Interchange.
- Emergency Service Orders.
- Competitive Access.
- Line Constructions, including Line Crossings.
- Line Abandonments, including:
 - Financial Assistance.
 - Rails-to-Trails.
 - Public Use Provision for Right-of-way.
- Feeder Line Development Program
- Collective Ratemaking (and Antitrust Immunity)
- Interlocking Officers and Directors
- Recording Liens.
- Data Collection and Oversight

Motor Carrier Regulation:

- Common Carrier Obligation (together with freedom to provide Contract Service).
- Exemptions (by STB *and DOT Secy.*, applicable).
- Registration of Carriers - Trucking and Bus Companies (*DOT Secy.*).
- Insurance Requirements (*DOT Secy.*)
- Rate Reasonableness (STB) for
 - Residential Household Goods Moves.
 - Joint Motor-Water Rates in Noncontiguous Domestic Trade.
 - Collectively-set Rates.

Collective Ratemaking (and Antitrust Immunity) (STB).
Pooling (STB).
Undercharges (*STB*).
Background Commercial Rules (but not informal dispute resolution) (*DOT Secy*) for:
 Owner-Operator Leasing.
 Lumping.
 Loss and Damage Claims.
 Duplicate Payments and Overcharges.
Household Goods Operations, including:
 Tariffs (not filed) (*STB*).
 Mandatory Arbitration (*DOT Secy.*).
 Rules for Binding Estimates and Guaranteed
 Agent-Van Line Relations (*DOT Secy.*) with
 Performance Standards (*DOT Secy.*)
Preemption of Intrastate Regulation.
Data Collection and Oversight (*DOT Secy.*).
Freight Forwarders -- Registration and Insurance (*DOT Secy.*)
Brokers - Registration and Insurance (*DOT Secy.*)
Bus Company Mergers (STB).
Bus Company Through-Route Requirements (Sir).
Mexican Carriers (*DOT Secy.*), including:
 Registration and Insurance.
 Enforcement of NAFTA restrictions.

Regulation of Domestic Water Carriage:

Tariff Filing and Rate Reasonableness Requirements for Noncontiguous Domestic Trade (STB).

Regulation of Pipelines (all administered by STB):

Common Carrier Obligation.
Rate Regulation, including:
 Public Disclosure of Rates and Service Terms.
 Advance Notice of rate Increases or Changes in Service Terms.
 Reasonableness.
Reasonableness of Practices.
Rate Discrimination.

Intermodal Regulation (STB):

Rail-Water connections for non-contiguous domestic trade.