

TITLE 49 - TRANSPORTATION
SUBTITLE IV - INTERSTATE TRANSPORTATION
PART A - RAIL
CHAPTER 111 - OPERATIONS
SUBCHAPTER I - GENERAL REQUIREMENTS

§ 11103. Switch connections and tracks

(a) On application of the owner of a lateral branch line of railroad, or of a shipper tendering interstate traffic for transportation, a rail carrier providing transportation subject to the jurisdiction of the Board under this part shall construct, maintain, and operate, on reasonable conditions, a switch connection to connect that branch line or private side track with its railroad and shall furnish cars to move that traffic to the best of its ability without discrimination in favor of or against the shipper when the connection—

- (1) is reasonably practicable;
- (2) can be made safely; and
- (3) will furnish sufficient business to justify its construction and maintenance.

(b) If a rail carrier fails to install and operate a switch connection after application is made under subsection (a) of this section, the owner of the lateral branch line of railroad or the shipper may file a complaint with the Board under section 11701 of this title. The Board shall investigate the complaint and decide the safety, practicability, justification, and compensation to be paid for the connection. The Board may direct the rail carrier to comply with subsection (a) of this section only after a full hearing.

(Added Pub. L. 104–88, title I, § 102(a), Dec. 29, 1995, 109 Stat. 831.)

Prior Provisions

Provisions similar to those in this section were contained in section 11104 of this title prior to the general amendment of this subtitle by Pub. L. 104–88, § 102(a).

Prior sections 11103 to 11111 were omitted in the general amendment of this subtitle by Pub. L. 104–88, § 102(a).

Section 11103, Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1419; Pub. L. 96–448, title II, § 223, Oct. 14, 1980, 94 Stat. 1929, related to use of terminal facilities. See section 11102 of this title.

Section 11104, Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1420, related to switch connections and tracks. See section 11103 of this title.

Section 11105, Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1420, related to protective services.

Section 11106, Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1420, related to identification of motor vehicles.

Section 11107, Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1420; Pub. L. 96–296, § 15(d), July 1, 1980, 94 Stat. 809, related to leased motor vehicles. See section 14102 of this title.

Section 11108, Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1421, related to water carriers subject to unreasonable discrimination in foreign transportation.

Section 11109, added Pub. L. 96–296, § 15(a)(1), July 1, 1980, 94 Stat. 808, related to loading and unloading motor vehicles. See section 14103 of this title.

Section 11110, added Pub. L. 96–454, § 6(a)(1), Oct. 15, 1980, 94 Stat. 2015, related to household goods carrier operations. See section 14104 of this title.

Section 11111, added Pub. L. 97–261, § 25(d)(1), Sept. 20, 1982, 96 Stat. 1125, related to use of citizen band radios on buses.