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H.R.2095

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2095) entitled `An Act to amend title 49, United States Code, to prevent railroad fatalities, injuries,... (Engrossed Amendment as Agreed to by House)

SEC. 701. TECHNICAL CORRECTIONS.

(a) *Limitations on Financial Assistance- Section 22106 is amended--*

(1) *by striking the second sentence of subsection (a);*

(2) *by striking subsection (b) and inserting the following:*

`(b) State Use of Repaid Funds and Contingent Interest Recoveries- The State shall place the United States Government's share of money that is repaid and any contingent interest that is recovered in an interest-bearing account. The repaid money, contingent interest, and any interest thereof shall be considered to be State funds. The State shall use such funds to make other grants and loans, consistent with the purposes for which financial assistance may be used under subsection (a), as the State considers to be appropriate.'; and

(3) *by striking subsections (c) and (e) and redesignating subsection (d) as subsection (c).*

(b) *Grants for Class II and III Railroads- Section 22301(a)(1)(A)(iii) is amended by striking `and' and inserting `or'.*

(c) *Rail Transportation of Renewable Fuel Study- Section 245(a)(1) of the Energy Independence and Security Act of 2007 is amended by striking `Secretary, in coordination with the Secretary of Transportation,' and inserting `Secretary and the Secretary of Transportation'.*

(d) *Motor Carrier Definition-*

Section 14504a is amended--

(1) *in subsection (a)--*

(A) *in the matter preceding paragraph (1), by inserting `(except as provided in paragraph (5))' after `14506';*

(B) *in paragraph (1), by striking subparagraph (A) and inserting the following:*

`(A) IN GENERAL- Except as provided in subparagraph (B), the term `commercial motor vehicle'--

`(i) for calendar years 2008 and 2009, has the meaning given the term in section 31101; and

`(ii) for years beginning after December 31, 2009, means a self-propelled vehicle described in section 31101.'; and

(C) *by striking paragraph (5) and inserting the following:*

`(5) MOTOR CARRIER-

`(A) THIS SECTION- In this section:

`(i) IN GENERAL- The term `motor carrier' includes all carriers that are otherwise exempt from this part--

`(I) under subchapter I of chapter 135; or

`(II) through exemption actions by the former Interstate Commerce Commission under this title.

`(ii) EXCLUSIONS- In this section, the term `motor carrier' does not include--

`(I) any carrier subject to section 13504; or

`(II) any other carrier that the board of directors of the unified carrier registration plan determines to be appropriate pursuant to subsection (d)(4)(C).

`(B) SECTION 14506- In section 14506, the term `motor carrier' includes all carriers that are otherwise exempt from this part--

`(i) under subchapter I of chapter 135; or

`(ii) through exemption actions by the former Interstate Commerce Commission under this title.'; and

(2) in subsection (d)(4)(C), by inserting before the period at the end the following: `, except that a decision to approve the exclusion of carriers from the definition of the term `motor carrier' under subsection (a)(5) shall require an affirmative vote of 3/4 of all such directors.'.