

Public Law 93-650
93d Congress

An Act

To amend the Urban Mass Transportation Act of 1964 to permit financial assistance to be furnished under that Act for the acquisition of certain equipment which may be used for charter service in a manner which does not foreclose private operators from furnishing such service, and for other purposes.

Jan. 4, 1974

[H.R. 10511]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

Urban mass
transportation.
Federal financial
assistance.
49 USC 1602.
Agreement.

“(f) No Federal financial assistance under this Act may be provided for the purchase of buses unless as a condition of such assistance the applicant or any public body receiving assistance for the purchase of buses under this Act or any publicly owned operator receiving such assistance shall as a condition of such assistance enter into an agreement with the Secretary that such public body, or any operator of mass transportation for the public body, shall not engage in charter bus operations outside of the urban area within which it provides regularly scheduled mass transportation service, except as provided in the agreement authorized by this subsection. Such agreement shall provide for fair and equitable arrangements, appropriate in the judgment of the Secretary, to assure that the financial assistance granted under this Act will not enable public bodies and publicly and privately owned operators for public bodies to foreclose private operators from the intercity charter bus industry where such operators are willing and able to provide such service. In addition to any other remedies specified in the agreements, the Secretary shall have the authority to bar a grantee or operator from the receipt of further financial assistance for mass transportation facilities and equipment where he determines that there has been a continuing pattern of violations of the terms of the agreement. Upon receiving a complaint regarding an alleged violation, the Secretary shall investigate and shall determine whether a violation has occurred. Upon determination that a violation has occurred, he shall take appropriate action to correct the violation under the terms and conditions of the agreement.”

Investigation.

(b) (1) The first sentence of section 164(a) of Public Law 93-87, approved August 13, 1973, is amended—

49 USC 1602a.

(1) by inserting “or” before “(2)”; and

(2) by striking out “or (3) the Urban Mass Transportation Act of 1964.”

(2) The second sentence of such section 164(a) is amended by striking out “, (2), and (3)” and inserting in lieu thereof “and (2)”.

49 USC 1602a
note.

49 USC 1602a.

SEC. 2. The Secretary shall amend any agreements entered into pursuant to section 164a of the Federal-Aid Highway Act of 1973, Public Law 93-87, to conform to the requirements of section 1 of this Act. The effective date of such conformed agreements shall be the effective date of the original agreements entered into pursuant to section 164a.

[Note by the Office of the Federal Register.—The foregoing Act, having been presented to the President of the United States on Saturday, December 22, 1973, for his approval and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval on January 4, 1974, in accordance with the order of the United States District Court for the District of Columbia, *Kennedy v. Jones, et al.*, Civil Action No. 74-194, D.D.C. 1976. The Court decision came too late for this law to be published in regular sequence in 88 Stat. Therefore it is placed at the beginning of 89 Stat.]

LEGISLATIVE HISTORY:

HOUSE REPORT No. 93-553 (Comm. on Public Works).

SENATE REPORT No. 93-547 (Comm. on Banking, Housing and Urban Affairs).

CONGRESSIONAL RECORD, Vol. 119 (1973):

Oct. 15, considered and passed House.

Nov. 20, considered and passed Senate, amended.

Dec. 21, House agreed to Senate amendments with an amendment; Senate agreed to House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 10, No. 1:

Jan. 3, 1974, Presidential memorandum of disapproval.

Kennedy v. Jones, et al.,

Civil Action No. 74-194 (412 F. Supp. 353).