

# Calendar No. 485

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 4107

To require Amtrak to report to Congress information on Amtrak compliance with the Americans with Disabilities Act of 1990 with respect to trains and stations.

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## IN THE SENATE OF THE UNITED STATES

APRIL 11 (legislative day, APRIL 10), 2024

Ms. DUCKWORTH (for herself and Mrs. CAPITO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

AUGUST 1, 2024

Reported by Ms. CANTWELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To require Amtrak to report to Congress information on Amtrak compliance with the Americans with Disabilities Act of 1990 with respect to trains and stations.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Think Differently  
5 Transportation Act”.

1 **SEC. 2. REPORT ON AMTRAK ADA COMPLIANCE.**

2 Section 24315(b) of title 49, United States Code, is  
3 amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (B), by striking  
6 “and” at the end;

7 (B) in subparagraph (C), by striking the  
8 period at the end and inserting a semicolon;  
9 and

10 (C) by adding at the end the following:

11 “(D) shall include an action plan for bringing  
12 Amtrak rail cars and Amtrak-served stations that  
13 are not in compliance with the Americans with Dis-  
14 abilities Act of 1990 (42 U.S.C. 12101 et seq.) into  
15 compliance with such Act as required by the settle-  
16 ment agreement entered into in 2020 between Am-  
17 trak and the Department of Justice; and

18 “(E) shall include a status report on—

19 “(i) Amtrak-served stations for which Am-  
20 trak is solely responsible for compliance with  
21 such Act based on a station assessment carried  
22 out by Amtrak, including a timeline for any re-  
23 quired compliance with such Act, as required by  
24 the settlement agreement;

25 “(ii) Amtrak-served stations for which Am-  
26 trak has a shared responsibility for compliance

1 with such Act based on a station assessment  
2 carried out by Amtrak, including a timeline for  
3 any required compliance with such Act for the  
4 portions of the station for which Amtrak is the  
5 responsible party consistent with the terms of  
6 the settlement agreement, identifying who is re-  
7 sponsible for compliance (and the status of the  
8 compliance of each responsible party with such  
9 Act) for such portions and the timeline for com-  
10 pliance in cases in which Amtrak is not the re-  
11 sponsible party; and

12 “(iii) the status of compliance with such  
13 Act for all Amtrak-served stations for which  
14 Amtrak is not the responsible party, nor is re-  
15 sponsible for a portion of the station, and the  
16 entity or entities that have responsibility for  
17 compliance with such Act, based on a station  
18 assessment carried out by Amtrak or the party  
19 responsible under such Act.”; and

20 (2) by adding at the end the following:

21 “(3) In this subsection, the term ‘station assessment’  
22 means a review of all components of a station, including  
23 the building, platform, path to train, and parking areas,  
24 as required by the Access Board on the date of enactment  
25 of the Think Differently Transportation Act.”.

1 **SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “Think Differently Trans-*  
 3 *portation Act”.*

4 **SEC. 2. REPORT ON AMTRAK ADA COMPLIANCE.**

5       *Section 24315(b) of title 49, United States Code, is*  
 6 *amended—*

7           *(1) in paragraph (1)—*

8                   *(A) in subparagraph (B), by striking “and”*  
 9 *at the end;*

10                   *(B) in subparagraph (C), by striking the*  
 11 *period at the end and inserting a semicolon; and*

12                   *(C) by adding at the end the following:*

13                   *“(D) shall include an action plan for bringing*  
 14 *Amtrak-served stations that are not in compliance*  
 15 *with the Americans with Disabilities Act of 1990 (42*  
 16 *U.S.C. 12101 et seq.) into compliance with such Act,*  
 17 *as required by the settlement agreement entered into*  
 18 *in 2020 between Amtrak and the Department of Jus-*  
 19 *tice;*

20                   *“(E) shall include a status report on—*

21                           *“(i) Amtrak-served stations for which Am-*  
 22 *trak is solely responsible for compliance with*  
 23 *such Act based on a station assessment carried*  
 24 *out by Amtrak, including a timeline for any re-*  
 25 *quired compliance with such Act, as required by*  
 26 *the settlement agreement;*

1           “(ii) Amtrak-served stations for which Am-  
2           trak has a shared responsibility for compliance  
3           with such Act based on a station assessment car-  
4           ried out by Amtrak or by the party responsible  
5           for such compliance, including a timeline for  
6           any required compliance with such Act for the  
7           portions of the station for which Amtrak is the  
8           responsible party consistent with the terms of the  
9           settlement agreement, identifying who is respon-  
10          sible for compliance (and the status of the com-  
11          pliance of each responsible party with such Act)  
12          for such portions and the timeline for compliance  
13          in cases in which Amtrak is not the responsible  
14          party; and

15                 “(iii) the status of compliance with such  
16          Act for all Amtrak-served stations for which Am-  
17          trak is not the responsible party, nor is respon-  
18          sible for a portion of the station, and identify the  
19          entity or entities that have responsibility for  
20          compliance with such Act, based on a station as-  
21          sessment carried out by Amtrak or the party re-  
22          sponsible under such Act.”; and

23                 (2) by adding at the end the following:

24                 “(3) Amtrak may meet the requirements described in  
25          clauses (ii) and (iii) of paragraph (1)(E) by demonstrating

1 *that Amtrak took reasonable measures to obtain cooperation*  
2 *from responsible entities.*

3       “(4) *Amtrak shall submit the action plan and status*  
4 *report required under subparagraphs (D) and (E) of para-*  
5 *graph (1)—*

6               “(A) *annually while the settlement agreement re-*  
7 *ferred to in paragraph (1)(D) is in effect; and*

8               “(B) *every 5 years beginning on the first day the*  
9 *settlement is no longer in effect.*”.



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August 1, 2024

Reported with an amendment