

## **BILL ANALYSIS**

Senate Research Center

H.B. 3771  
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Transportation & Homeland Security  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties have expressed concern that the Federal Railroad Administration currently regulates passenger rail safety using outdated safety standards. H.B. 3771 allows the Texas Department of Transportation to adopt safety standards for high-speed rail.

H.B. 3771 amends current law relating to the authority of the Texas Department of Transportation to approve safety standards for high-speed rail, and authorizes a fee.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Transportation in SECTION 1 (Section 111.103, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 111, Transportation Code, by adding Section 111.103, as follows:

Sec. 111.103. HIGH-SPEED RAIL SAFETY STANDARDS; FEES. (a) Authorizes the Texas Department of Transportation (TxDOT) by rule, upon application by a railroad, to adopt safety standards for high-speed passenger rail rolling stock and systems designed to operate at speeds in excess of 185 miles per hour for that railroad.

(b) Authorizes TxDOT to require the high-speed rail system to be isolated by grade separations or physical barriers from streets and roadways and existing freight or passenger railroads.

(c) Requires TxDOT to consider safety records of rolling stock and systems operating internationally in countries with a history of safe commercial high-speed passenger rail service.

(d) Provides that a railroad is not required to seek approval of high-speed rail safety standards from TxDOT if it is operating under standards approved by the Federal Railroad Administration or other federal authority.

(e) Requires TxDOT by rule to adopt reasonable fees to recover all costs to administer this section.

SECTION 2. Effective date: upon passage or September 1, 2011.