

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3771
By: Harper-Brown (Williams)
Transportation & Homeland Security
5/19/2011
Committee Report (Substituted)

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have expressed concern that the Federal Railroad Administration currently regulates passenger rail safety using outdated safety standards.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

C.S.H.B. 3771 amends current law relating to the authority of the Texas Department of Transportation to adopt safety standards for high-speed rail.

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. (a) Defines, for the purposes of this section, "high-speed rail."

(b) Authorizes the Texas Department of Transportation (TxDOT) by rule, on application by a railroad company, to adopt safety standards for high-speed rail systems, including rolling stock, for that railroad company.

(c) Provides that in adopting safety standards under Subsection (b), TxDOT:

(1) is required to consider the safety records of high-speed rail systems, including rolling stock, operated in countries with a history of safe high-speed rail service; and

(2) is authorized to require the railroad company to construct grade separations or physical barriers to isolate the railroad company's high-speed rail systems from streets, roadways, or existing freight or passenger railroads.

(d) Provides that a railroad company is not required to submit an application to TxDOT under Subsection (b) if the railroad company is operating under safety standards approved by the Federal Railroad Administration or another federal agency.

(e) Requires TxDOT by rule to impose a reasonable fee on a railroad company that submits an application under Subsection (b) to recover costs incurred by TxDOT in administering this section.

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