Purpose: To modify the Federal cost share of highway-rail or pathway-rail grade crossing projects located along a bus route to a school or within 1 mile of a school under the Railroad Crossing Elimination Program.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WARNOCK to the amendment (No. _______) proposed by Ms. CANTWELL (for herself and Mr. VANCE)

Viz:

1 At the end of section 104, add the following:

2 (f) RAILROAD CROSSING ELIMINATION PROGRAM.—

3 Section 22909 of title 49, United States Code, is amend-

4 ed—

5 (1) in subsection (f)(2)(C)—

6 (A) in clause (i), by striking “or” after the

7 semicolon;

8 (B) in clause (ii), by inserting “or” after

9 the semicolon at the end; and

10 (C) by adding at the end the following:
“(iii) a bus route to a school or within
1 mile of a school;”; and

(2) in subsection (g)—

(A) by striking “Except” and inserting the

following:

“(1) IN GENERAL.—Except”; and

(B) by adding at the end the following:

“(2) CERTAIN BUS ROUTES.—The Federal

share of the cost of a project given additional consid-

eration under subsection (f)(2)(C)(iii) may not ex-

ceed 85 percent.”.
AMENDMENT NO._______ Calendar No._______

Purpose: To add a requirement relating to prompt inspections.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on _________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BUDD to the amendment (No. ______) proposed by Ms. CANTWELL (for herself and Mr. VANCE)

Viz:

1 On page 16 of the amendment, strike lines 15 through 18 and insert the following:

2 “(a) IN GENERAL.—No railroad may limit the time required for an employee to complete a railcar, locomotive, or brake inspection to ensure that each railcar, locomotive, and brake system complies with safety laws and regulations.

3 “(b) REQUIREMENT.—Employees shall perform their inspection duties promptly and shall not delay other than for reasons related to safety.”.
AMENDMENT NO.______    Calendar No.______

Purpose: To convene a meeting of the Railroad Safety Advisory Committee for the purpose of developing recommendations for improving the proper functioning of emergency brake signals.


S.576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WELCH (for himself, Ms. BALDWIN, and Mr. FETTERMAN)

Viz:

1 On page 26, strike line 6 and insert the following:

2 SEC. 106. EMERGENCY BRAKE SIGNALS.

3 (a) In general.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration shall convene a meeting of the Railroad Safety Advisory Committee for the purpose of considering a regulatory safety task on the functioning of emergency brake signals.
(b) PURPOSE.—The Railroad Safety Advisory Committee shall consider—

(1) the sufficiency of the regulations under part 232 of title 49, Code of Federal Regulations, with regard to end-of-train and head-of-train device communications;

(2) whether National Transportation Safety Board Safety Recommendations R-20-028 and R-20-029 have been adequately addressed;

(3) whether more frequent communication checks between a head-of-train device and an end-of-train device would improve rail safety; and

(4) whether repetition of the emergency brake signal transmission until it is received by the end-of-train device would improve rail safety.

(c) RECOMMENDATIONS AND WORK PLAN.—Not later than 90 days after the meeting is convened pursuant to subsection (a), a working group of the Railroad Safety Advisory Committee should—

(1) develop initial recommendations with respect to the matters considered under subsection (b); and

(2) complete a work plan for implementing such recommendations.

SEC. 107. DEFECT DETECTION SYSTEMS.
AMENDMENT NO._________ Calendar No.______

Purpose: To slightly delay the date by which railroad tank cars that do not meet certain specifications may no longer be used to transport certain Class 3 flammable liquids.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. BLACKBURN

Viz:

1 On page 45, strike lines 19 and 20 and insert the following: “shall delay the phase-out scheduled under sub-

2 section (a) to December 31, 2028”.

3
AMENDMENT NO._______ Calendar No.______

Purpose: To require a GAO report.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BUDD to the amendment (No. ________) proposed by Ms. CANTWELL (for herself and Mr. VANCE)

Viz:

1 On page 49 of the amendment, between lines 3 and 4, insert the following:

3 SEC. 113. GAO REPORT ON ROADWAY WORKER PROTECTIONS.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a review of currently available technologies for roadway workers (as defined in section 214.7 of title 49, Code of Federal Regulations) with protection from the hazards of being struck by a
train or other on-track equipment in the United States; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that summarizes the results of the review conducted under subparagraph (a), including recommendations, as the Comptroller General considers appropriate.

(b) CONTENTS.—The report submitted under subsection (a)(2) shall—

(1) describe the frequency, type, and causes of incidences within the rail right-of-way associated with roadway workers being struck by a train or other on-track equipment, based on available data, including whether individuals were acting in compliance with the applicable rules, policies, procedures, and practices;

(2) describe the types of technologies referenced in subsection (a)(1) that are designed to reduce risk of injury and death when deployed as a secondary warning system to the standard operating procedures of a rail carrier, including for each technology—

(A) the primary function and features;
(B) the maturity, implementation readiness, and user experience;

(C) the frequency of implementation;

(D) any costs, including up front and ongoing maintenance costs, of the technology and other costs associated with the technology;

(E) safety benefits associated with the technology relative to current rules, policies, procedures, and practices; and

(F) ability to enhance protections for roadway workers without negatively impacting operational or network efficiencies;

(3) discuss the potential for such technologies to reduce or eliminate roadway worker accidents occurring within the rail right-of-way;

(4) describe any challenges or barriers to adoption of such safety technologies, including operational, technical, and network efficiency challenges or barriers; and

(5) assess the cost-beneficial nature of utilizing such technology as a secondary warning system.
AMENDMENT NO.__________ Calendar No._______

Purpose: To require railroad inspection and maintenance employees to be subject to certain drug testing requirements applicable to other railroad personnel.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. THUNE

Viz:

1 On page 49, between lines 3 and 4, insert the following:

3 SEC. 113. ALCOHOL AND DRUG TESTING.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall amend part 219 of title 49, Code of Federal Regulations, to require any employee who, on behalf of a railroad, inspects locomotives, passenger cars, railcars, or other on-track equipment, to be subject to the breath or body fluid testing required under subparts C, D, and E of such part.
AMENDMENT NO.__________    Calendar No.______


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on _______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PETERS

Viz:

1 On page 49, between lines 3 and 4, insert the following:

2

3 SEC. 113. FEDERAL RAILROAD ADMINISTRATION SAFETY

4 WORKFORCE MANAGEMENT.

5 Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of a review of the Federal Railroad Administration Office of
Railroad Safety inspector and specialist staff resource management, including—

(1) an assessment of the changes in the number of Federal Railroad Administration safety inspectors and specialists, including—

(A) the number of safety inspector and specialist vacancies;

(B) the number of such positions requested in each of the budget requests for the last 10 fiscal years; and

(C) the actual workforce levels during each of such fiscal years;

(2) an assessment of geographic allocation plans, potential hiring and time-to-hire challenges, expected retirement rates, and recruitment and retention strategies;

(3) a description of any internal Federal Railroad Administration goals for compliance inspection rates across the network of regulated activities, and whether requested and actual safety inspector and specialist workforce levels align with such goals;

(4) whether the system used for the notification, processing, or storing of civil penalty enforcement cases and other compliance actions recommended by safety inspectors and specialists
against railroads, shippers of hazardous materials, and other respondents effectively supports the Federal Railroad Administration’s compliance inspection and enforcement program;

(5) whether any macroeconomic or other conditions exist or have existed under which it has been difficult for the Federal Railroad Administration to fill safety inspector and specialist vacancies, and the degree to which special rates of pay or other recruitment and retention practices could ameliorate or could have ameliorated such difficulty; and

(6) recommendations for any reforms that could—

(A) improve the recruitment, hiring, and retention of Federal Railroad Administration safety inspectors and specialists, including potential quality of life and workplace improvements;

(B) improve Federal Railroad Administration workforce management processes; or

(C) increase the capacity for inspection activities, if such capacity is identified as deficient, at the Federal Railroad Administration, including activities relating to the transportation of hazardous materials.
SEC. 114. OFFICE OF PERSONNEL MANAGEMENT REVIEW

OF SAFETY INSPECTOR AND SPECIALIST

CLASSIFICATIONS.

(a) REVISIGN RAILROAD SAFETY SERIES.—Not later than 270 days after the date of the enactment of this Act, the Director of the Office of Personnel Management shall—

(1) complete a review of the Railroad Safety Series, GS–2121, TS-37; and

(2) subject to subsection (b), revise the series referred to in paragraph (1), as appropriate, to reflect factors impacting the Federal Railroad Administration’s oversight of the railroad industry, including—

(A) current critical Federal Railroad Administration disciplines; and

(B) technological advancements and operational conditions within the railroad industry.

(b) REPORT.—Not later than 30 days after completing the review required under subsection (a), if the Director determines that a revision of the Railroad Safety Series is not appropriate, the Director shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Oversight and Accountability of the House
of Representatives, and the Committee on Transportation
and Infrastructure of the House of Representatives that—

(1) explains the findings of the review required
under subsection (a); and

(2) justifies the determination not to make revi-
sions to the Railroad Safety Series.
AMENDMENT NO._________ Calendar No._____

Purpose: To require consideration of the proportion of volunteer emergency responders with respect to certain grant funds.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. HICKENLOOPER to the amendment (No. _______) proposed by Ms. CANTWELL (for herself and Mr. VANCE)

Viz:

  1 On page 55 of the amendment, strike line 15 and insert the following:

  "(F) In making grant funds available to eligible local entities under subparagraph (A), States shall consider whether the eligible local entity has a high proportion of volunteer emergency responders.

  "(G) For purposes of this paragraph, the term ‘eligible
AMENDMENT NO._______ Calendar No._______

Purpose: To require each railroad carrier to maintain a toll-free telephone service for receiving calls reporting blocked highway-rail grade crossings.


S. 576

To enhance safety requirements for trains transporting hazardous materials, and for other purposes.

Referred to the Committee on ________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WARNOCK

Viz:

1 At the end of the bill, add the following:

2 SEC. 205. RAILROAD POINT OF CONTACT FOR BLOCKED CROSSINGS.

3 (a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, each railroad carrier shall establish and maintain a toll-free telephone service for rights-of-way over which the railroad carrier dispatches trains to directly receive calls reporting blocked highway-rail grade crossings.

(b) USE OF EXISTING NUMBER.—A railroad carrier may comply with the requirement under subsection (a) by
using the telephone number that is being used to comply
with section 20152(a)(1) of title 49, United States Code.

(c) PUBLICLY AVAILABLE.—Each railroad carrier
subject to this section shall notify the Secretary of the
telephone number referred to in subsection (a) or (b), who
shall post such number on a publicly-available website of
the Department of Transportation.

(d) WAIVER.—The Secretary may waive the require-
ment that the telephone service be toll-free for Class II
and Class III rail carriers if the Secretary determines that
toll-free service would be cost prohibitive or unnecessary.