

114TH CONGRESS  
1ST SESSION

# H. R. 4050

To provide for the identification of certain dangerous railroad locations, and for the safety of passenger operations at such locations.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2015

Mr. SEAN PATRICK MALONEY of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To provide for the identification of certain dangerous railroad locations, and for the safety of passenger operations at such locations.

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 “Passenger Train De-  
5 railment Prevention Act”.

6 **SEC. 2. DANGEROUS RAILROAD LOCATIONS.**

7 (a) AMENDMENT.—Subchapter II of chapter 201 of  
8 title 49, United States Code, is amended by adding at the  
9 end the following new section:

1 **“§ 20168. Dangerous railroad locations.**

2       “(a) IDENTIFICATION.—Not later than 90 days after  
3 the date of enactment of the Passenger Train Derailment  
4 Prevention Act, each railroad carrier on whose tracks an  
5 entity providing regularly scheduled intercity rail pas-  
6 senger transportation or commuter rail passenger trans-  
7 portation, as defined in section 24102, conducts such  
8 transportation shall submit to the Secretary of Transpor-  
9 tation a list identifying each curve, bridge, tunnel, or other  
10 location on such tracks where the maximum authorized  
11 operating speed for such a passenger train is at least 20  
12 miles per hour less than the maximum approach speed.  
13 The Secretary shall provide such information to the Com-  
14 mittee on Transportation and Infrastructure of the House  
15 of Representatives and Committee on Commerce, Science,  
16 and Transportation of the Senate, along with a list of any  
17 additional track locations the Secretary identifies as dan-  
18 gerous.

19       “(b) SAFETY REGULATIONS.—Not later than 180  
20 days after the date of enactment of the Passenger Train  
21 Derailment Prevention Act, the Secretary shall exercise  
22 the authority granted under section 20104 to require that,  
23 not later than 90 days after the exercise of such author-  
24 ity—

25               “(1) each entity providing regularly scheduled  
26       intercity rail passenger transportation or commuter

1 rail passenger transportation, as defined in section  
2 24102, using a train equipped with an automatic  
3 train control system modify such system to auto-  
4 matically slow down the train if it fails to comply  
5 with applicable maximum authorized speed limits at  
6 the locations identified under subsection (a);

7 “(2) each entity providing regularly scheduled  
8 intercity rail passenger transportation or commuter  
9 rail passenger transportation, as defined in section  
10 24102, using a train not equipped with an automatic  
11 train control system provide that the train move-  
12 ment through the locations identified under sub-  
13 section (a) be made—

14 “(A) with a second qualified crewmember  
15 in the cab of the controlling locomotive; or

16 “(B) with constant communication between  
17 the locomotive engineer and an additional quali-  
18 fied and designated crewmember in the body of  
19 the train; and

20 “(3) each railroad carrier on whose tracks regu-  
21 larly scheduled intercity rail passenger transpor-  
22 tation or commuter rail passenger transportation is  
23 conducted install additional wayside signage along  
24 the carrier’s tracks where such transportation is  
25 conducted alerting engineers and conductors of the

1 maximum authorized passenger train speed, particu-  
2 larly at the locations identified under subsection (a).

3 “(c) ALTERNATIVE SAFETY MEASURES.—The Sec-  
4 retary may exempt from the requirements of this section  
5 any segment of track for which operations are governed  
6 by a positive train control system certified under section  
7 20157 or any other safety technology or practice that  
8 would achieve an equivalent or greater level of safety in  
9 reducing derailment risk.”.

10 (b) TABLE OF SECTIONS AMENDMENT.—The table of  
11 sections for subchapter II of chapter 201 of title 49,  
12 United States Code, is amended by adding at the end the  
13 following new item:

“Sec. 20168. Dangerous railroad locations.”.

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