

112TH CONGRESS
1ST SESSION

H. R. 30

To require Surface Transportation Board consideration of the impacts of certain railroad transactions on local communities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Mrs. BIGGERT (for herself, Mr. WALSH of Illinois, and Mr. MANZULLO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require Surface Transportation Board consideration of the impacts of certain railroad transactions on local communities, and for other purposes.

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 “Taking Responsible
5 Action for Community Safety Act”.

6 **SEC. 2. EFFECT OF MERGERS ON LOCAL COMMUNITIES**
7 **AND RAIL PASSENGER TRANSPORTATION.**

8 Section 11324 of title 49, United States Code, is
9 amended—

1 (1) in subsection (a)—

2 (A) by striking the last sentence and in-
3 serting “The Board shall hold public hearings
4 on the proposed transaction, including public
5 hearings in the affected communities, unless the
6 Board determines that public hearings are not
7 necessary in the public interest.”;

8 (2) in subsection (b)—

9 (A) by striking “which involves the merger
10 or control of at least two Class I railroads,”
11 and inserting “with respect to a transaction
12 that involves at least one Class I railroad,”;

13 (B) by inserting “the effect on the public
14 interest, including” after “the Board shall con-
15 sider”;

16 (C) in paragraph (2), by striking “on the
17 public interest”;

18 (D) by striking “and” at the end of para-
19 graph (4);

20 (E) by striking the period at the end of
21 paragraph (5) and inserting a semicolon; and

22 (F) by adding at the end the following new
23 paragraphs:

24 “(6) the safety and environmental effects of the
25 proposed transaction, including the effects on local

1 communities, such as public safety, grade crossing
2 safety, hazardous materials transportation safety,
3 emergency response time, noise, and socioeconomic
4 impacts; and

5 “(7) the effect of the proposed transaction on
6 intercity rail passenger transportation and commuter
7 rail passenger transportation, as defined by section
8 24102 of this title.”;

9 (3) by redesignating subsections (c), (d), (e),
10 and (f) as subsections (d), (e), (f), and (g) and in-
11 serting a new subsection (c) as follows:

12 “(c) The Board shall approve and authorize a trans-
13 action under this section when it finds the transaction is
14 consistent with the public interest. The Board shall not
15 approve a transaction described in subsection (b) if it finds
16 that the transaction’s impacts on safety and on all affected
17 communities, as defined under subsection (b), outweigh
18 the transportation benefits of the transaction. The Board
19 may impose conditions governing a transaction under this
20 section, including conditions to mitigate the effects of the
21 transaction on local communities.”;

22 (4) in subsection (d), as redesignated, by strik-
23 ing “The Board shall approve” and all that follows
24 through “the transaction, including” and inserting

1 “The conditions the Board may impose under this
2 section include”; and

3 (5) in subsection (e), as redesignated, by strik-
4 ing “the merger or control of at least two Class I
5 railroads, as defined by the Board” and inserting “a
6 transaction described in subsection (b)”.

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