

110TH CONGRESS  
2D SESSION

# H. R. 6707

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2008

Mr. OBERSTAR (for himself, Ms. BEAN, Mrs. BIGGERT, Mr. VISCLOSKY, Mr. FOSTER, Mr. MANZULLO, Mr. ROSKAM, Mr. HOBSON, Mr. NEAL of Massachusetts, Mr. THOMPSON of California, Mr. KAGEN, Mr. KIND, Ms. WASSERMAN SCHULTZ, Ms. CASTOR, Ms. BERKLEY, Ms. HOOLEY, Mr. BRALEY of Iowa, Ms. PRYCE of Ohio, Mr. GILCHREST, Mr. LAHOOD, and Mr. CRAMER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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”.

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

3 Section 11324 of title 49, United States Code, is  
4 amended—

5 (1) in subsection (a)—

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

12 (2) in subsection (b)—

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

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

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

21 (D) by adding at the end the following new  
22 paragraphs:

23 “(6) the safety and environmental effects of the  
24 proposed transaction, including the effects on local  
25 communities, such as public safety, grade crossing  
26 safety, hazardous materials transportation safety,

1 emergency response time, noise, and socioeconomic  
2 impacts; and

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

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

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

20 (4) in subsection (d), as redesignated, by strik-  
21 ing “The Board shall approve” and all that follows  
22 through “the transaction, including” and insert  
23 “The conditions the Board may impose under this  
24 section include”; and

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

5 **SEC. 3. EFFECTIVE DATE.**

6           The amendments made in this Act shall be applied  
7 to all transactions that have not been approved by the  
8 Board as of August 1, 2008.

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