To extend the positive train control system implementation deadline, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2015

Mr. BLUNT (for himself, Mrs. McCaskill, Mr. Thune, and Mr. Nelson) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To extend the positive train control system implementation deadline, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘Railroad Safety and Positive Train Control Extension Act’’.

SEC. 2. IMPLEMENTATION DEADLINE.

(a) TECHNOLOGY IMPLEMENTATION PLAN.—Section 20156(e)(4) of title 49, United States Code, is amended to read as follows:

‘‘(4) POSITIVE TRAIN CONTROL.—
“(A) IN GENERAL.—Except as required by section 20157 (relating to the requirements for implementation of positive train control systems), the Secretary shall ensure that each railroad carrier’s technology implementation plan required under paragraph (1) that includes a schedule for implementation of a positive train control system complies with that schedule.

“(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring the installation of positive train control on railroad tracks if—

“(i) positive train control is not required on those tracks under section 20157; and

“(ii) the railroad does not choose to implement positive train control as a technology on those tracks under this section.”.

(b) EXTENSION OF DEADLINE.—Section 20157 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking “Not later than 18 months after the date of enactment of the Rail Safety Improvement Act of 2008, each” and inserting “Each”; and
(B) by striking “by December 31, 2015” and inserting “by December 31, 2020”; and

(2) in subsection (a)(1)(B), by striking “transported” and inserting “transported on or after December 31, 2015”.

SEC. 3. AUTHORITY OF SECRETARY OF TRANSPORTATION TO EXTEND IMPLEMENTATION DEADLINE.

(a) IN GENERAL.—Section 20157 of title 49, United States Code, as amended by section 2(b) of this Act, is further amended—

(1) in subsection (a)(1), by striking “Each Class I” and inserting “Except as provided under subsection (i), each Class I”;

(2) by redesignating subsection (i) as subsection (j); and

(3) by inserting before subsection (j), as redesignated, the following:

“(i) IMPLEMENTATION EXTENSIONS.—

“(1) IN GENERAL.—The Secretary may extend in 1-year increments, upon application, the deadline for implementing a positive train control system under subsection (a)(1) for an applicant, if the Secretary determines that—

“(A) full implementation will likely be infeasible due to circumstances beyond the control
of the applicant, including funding availability, spectrum acquisition, resource and technology availability, software development and testing, availability of alternate risk reduction strategies, and interoperability standards;

“(B) the applicant has demonstrated good faith in its positive train control system implementation;

“(C) the applicant has presented a revised plan for implementing a positive train control system indicating how the applicant will fully implement a positive train control system as soon as feasible, but not later than December 31, 2022; and

“(D) the extension will not extend later than December 31, 2022.

“(2) CONSIDERATIONS.—In making a determination under paragraph (1), the Secretary shall consider—

“(A) whether the affected areas of track have been identified as areas of greater risk to the public and railroad employees in the applicant’s positive train control implementation plan under section 236.1011(a)(4) of title 49, Code of Federal Regulations (relating to PTC
Implementation Plan content requirements);

and

“(B) the risk of operational failure to the
affected service areas and the applicant.

“(3) REVIEW.—Not later than 10 days after
the Secretary receives an application under para-
graph (1), the Secretary shall review and approve or
disapprove the application.”.

(b) CONFORMING AMENDMENT.—Section
20156(e)(2) of title 49, United States Code, is amended
by striking “as defined in section 20157(i)” and inserting
“as defined in section 20157(j)”.

SEC. 4. EQUIPPING LOCOMOTIVES OPERATING IN POSITIVE
TRAIN CONTROL TERRITORY.

Not later than 180 days after the date of enactment
of this Act, the Secretary of Transportation shall revise
section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal
Regulations (relating to equipping locomotives operating
in PTC territory) to extend each deadline 5 years.

○