

115TH CONGRESS
2D SESSION

S. 2861

To prosecute, as a Federal crime, the assault or intimidation of a passenger train crew member to the same extent as such actions against aircraft crew members are prosecuted.

IN THE SENATE OF THE UNITED STATES

MAY 16, 2018

Ms. DUCKWORTH (for herself and Mr. HOEVEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prosecute, as a Federal crime, the assault or intimidation of a passenger train crew member to the same extent as such actions against aircraft crew members are prosecuted.

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 Rail Crew
5 Protection Parity Act”.

1 **SEC. 2. INTERFERENCE WITH PASSENGER TRAIN CREW**
 2 **MEMBERS.**

3 (a) IN GENERAL.—Chapter 281 of title 49, United
 4 States Code, is amended by adding at the end the fol-
 5 lowing:

6 **“§ 28104. Interference with passenger train crew**
 7 **members**

8 “(a) OFFENSE.—It shall be unlawful for any person,
 9 while on a passenger train—

10 “(1) to assault or intimidate a crew member,
 11 and thereby interfere with the performance of the
 12 duties of a crew member or lessen the ability of a
 13 crew member to perform those duties; or

14 “(2) to attempt or conspire to perform an act
 15 described in paragraph (1).

16 “(b) PENALTIES.—A person who violates subsection
 17 (a)—

18 “(1) shall be fined under title 18, imprisoned
 19 for not more than 20 years, or both; and

20 “(2) if a dangerous weapon is used in assault-
 21 ing or intimidating the crew member, shall be im-
 22 prisoned for any term of years or for life.

23 “(c) TRAINING.—Each passenger rail carrier is en-
 24 couraged to review training programs of the rail carrier
 25 and provide, as necessary, additional training in areas
 26 such as de-escalating hostile situations, written protocols

1 on dealing with hostile situations, and reporting of inci-
2 dents.

3 “(d) DEFINITION OF CREW MEMBER.—In this sec-
4 tion, the term ‘crew member’ includes engineers, conduc-
5 tors, on-board service personnel, and similar employees as-
6 signed to duty on an in-service passenger train.”.

7 (b) CLERICAL AMENDMENT.—The analysis for chap-
8 ter 281 of title 49, United States Code, is amended by
9 adding at the end the following:

“28104. Interference with passenger train crew members.”.

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