

119TH CONGRESS  
1ST SESSION

# H. R. 853

To authorize the declaration of a hazardous train event, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2025

Mr. DELUZIO (for himself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To authorize the declaration of a hazardous train event, 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 “Assistance for Local  
5 Heroes During Train Crises Act”.

6 **SEC. 2. HAZARDOUS TRAIN EVENTS.**

7 (a) IN GENERAL.—Chapter 209 of title 49, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1 **“§ 20904. Hazardous train events**

2 “(a) DEFINITIONS.—In this section:

3 “(1) ADMINISTRATOR.—The term ‘Adminis-  
4 trator’ means the Administrator of the Federal Rail-  
5 road Administration.

6 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
7 tity’ means a State or local emergency response  
8 group, including a law enforcement agency, a fire  
9 department, and an emergency response agency, lo-  
10 cated in an area affected by a hazardous train event.

11 “(3) FUND.—The term ‘Fund’ means the Haz-  
12 ardous Train Event Emergency Reimbursement  
13 Fund established under subsection (c).

14 “(4) HAZARDOUS TRAIN EVENT.—The term  
15 ‘hazardous train event’ means a train incident that  
16 the Administrator has declared to be a hazardous  
17 train event pursuant to subsection (b).

18 “(b) DECLARATION.—

19 “(1) IN GENERAL.—The Administrator, in con-  
20 sultation with the Administrator of the Federal  
21 Emergency Management Agency and the Adminis-  
22 trator of the Environmental Protection Agency, may  
23 declare that a hazardous train event has occurred  
24 not later than 3 days after the occurrence of a train  
25 derailment, train crash, or other incident involving a  
26 train carrying hazardous materials, hazardous waste,

1 or other materials that pose a threat to public  
2 health, safety, and the environment, as determined  
3 by the Administrator.

4 “(2) EFFECT OF DECLARATION.—Upon a dec-  
5 laration pursuant to subsection (a), the Adminis-  
6 trator shall immediately award at least \$250,000  
7 from the Fund to 1 or more eligible entities pursu-  
8 ant to subsection (d).

9 “(3) ADDITIONAL FUNDING AWARD.—Not later  
10 than 5 days after a declaration pursuant to sub-  
11 section (a), the Administrator may award additional  
12 amounts to the initially awarded entities for further  
13 costs or other eligible entities from the Fund, not to  
14 exceed \$3,000,000 per hazardous train event.  
15 Amounts awarded pursuant to this paragraph shall  
16 be allocated based on additional needs, as deter-  
17 mined by the Administrator.

18 “(c) HAZARDOUS TRAIN EVENT EMERGENCY REIM-  
19 BURSEMENT FUND.—There is established within the  
20 Treasury of the United States a fund, which—

21 “(1) shall be known as the ‘Hazardous Train  
22 Event Emergency Reimbursement Fund’; and

23 “(2) shall be administered by the Adminis-  
24 trator.

25 “(d) ASSISTANCE FOR ELIGIBLE ENTITIES.—

1           “(1) IN GENERAL.—The Administrator may use  
2 amounts from the Fund to reimburse eligible enti-  
3 ties, in accordance with subsection (b)—

4           “(A) for the cost of replacing equipment  
5 that is damaged, contaminated, or otherwise  
6 rendered unusable as a result of the response of  
7 the eligible entity to a hazardous train event;

8           “(B) for overtime pay for firefighters, law  
9 enforcement officers, or other emergency re-  
10 sponders who work at the scene of a hazardous  
11 train event;

12           “(C) for operational costs for actions taken  
13 to respond to a hazardous train event;

14           “(D) for any other purpose related to a  
15 hazardous train event, as determined by the  
16 Administrator; and

17           “(E) to retroactively cover a cost described  
18 in any of subparagraphs (A) through (D) that  
19 is incurred after the date of a hazardous train  
20 event or within 30 days of the receipt of  
21 amounts under this subsection.

22           “(2) DOCUMENTATION OF COSTS.—

23           “(A) IN GENERAL.—Not later than 120  
24 days after the date on which the Administrator  
25 declares a hazardous train event for which an

1 eligible entity receives assistance under this  
2 subsection, the eligible entity shall submit docu-  
3 mentation to the Administrator for each item  
4 for which such assistance is used through pro-  
5 curement or reimbursement.

6 “(B) REIMBURSEMENT.—If the Adminis-  
7 trator determines that an eligible entity has  
8 used assistance received under this subsection  
9 in violation of this subsection, the eligible entity  
10 shall reimburse the Fund for the amount of  
11 such assistance. Reimbursements to the Fund  
12 shall be made eligible for future hazardous  
13 train events.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-  
15 ter 209 of title 49, United States Code, is amended by  
16 adding at the end the following:

“20904. Hazardous train events.”.

17 **SEC. 3. ADVANCE WARNING REQUIREMENT.**

18 The Secretary of Transportation, in consultation with  
19 the Administrator of the Transportation Security Admin-  
20 istration, shall issue regulations requiring any railroad  
21 that transports hazardous materials by train through any  
22 community in the United States to provide county and  
23 local emergency response groups in such community, in-  
24 cluding police departments, fire departments, and emer-  
25 gency response agencies, with—

1 (1) advance warning of such train’s load and  
2 timing; and

3 (2) real-time location information on such a  
4 train when it enters and exits its service area the ap-  
5 plicable service area.

6 **SEC. 4. HAZARDOUS MATERIALS EMERGENCY REIMBURSE-**  
7 **MENT FEE.**

8 (a) IN GENERAL.—Section 5108(g) of title 49,  
9 United States Code, is amended by adding at the end the  
10 following:

11 “(4) HAZARDOUS MATERIALS EMERGENCY RE-  
12 IMBURSEMENT FEE FOR SHIPPERS AND CARRIERS  
13 OF HAZARDOUS MATERIAL.—

14 “(A) SCHEDULE OF FEES.—The Secretary  
15 shall prescribe a schedule of annual fees for  
16 shippers and carriers of hazardous materials by  
17 rail that have total annual collections of not less  
18 than \$10,000,000.

19 “(B) DEPOSITS INTO TRUST FUND.—Fees  
20 collected pursuant to subparagraph (A) shall be  
21 deposited into the Hazardous Train Event  
22 Emergency Reimbursement Fund established  
23 under section 20904.”.

24 (b) DEPOSITS INTO TRUST FUND.—Amounts col-  
25 lected from shippers and carriers pursuant to section

1 5108(g)(4), United States Code, as added by subsection  
2 (a), shall be regularly deposited into the Hazardous Train  
3 Event Emergency Reimbursement Fund established under  
4 section 20904 of title 49, United States Code, as added  
5 by section 2.

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