

PL 103-440, 1994 HR 4867

PL 103-440, November 2, 1994, 108 Stat 4615

(Publication page references are not available for this document.)

**UNITED STATES PUBLIC LAWS
103rd Congress - Second Session
Convening January 25, 1994**

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Additions and Deletions are not identified in this document.

For Legislative History of Act, see LH database or Report for
this Public Law in U.S.C.C. & A.N. Legislative History section.

PL 103-440 (HR 4867)

November 2, 1994

RAILROADS

An Act to authorize appropriations for high-speed rail transportation, and for other
purposes.

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

TITLE I--HIGH-SPEED RAIL

<< 49 USCA § 20101 NOTE >>

SEC. 101. SHORT TITLE.

This title may be cited as the "Swift Rail Development Act of 1994".

SEC. 215. PASSENGER CAR SAFETY STANDARDS.

<< 49 USCA § 20133 >>

(a) AMENDMENT.--Section 20133 of title 49, United States Code, is amended to read as follows:

"§ 20133. Passenger cars

"(a) MINIMUM STANDARDS.--The Secretary of Transportation shall prescribe regulations establishing minimum standards for the safety of cars used by railroad carriers to transport passengers. Before prescribing such regulations, the Secretary shall consider--

"(1) the crashworthiness of the cars;

"(2) interior features (including luggage restraints, seat belts, and exposed surfaces) that may affect passenger safety;

"(3) maintenance and inspection of the cars;

"(4) emergency response procedures and equipment; and

"(5) any operating rules and conditions that directly affect safety not otherwise governed by regulations.

The Secretary may make applicable some or all of the standards established under this subsection to cars existing at the time the regulations are prescribed, as well as to new cars, and the Secretary shall explain in the rulemaking document the basis for making such standards applicable to existing cars.

"(b) INITIAL AND FINAL REGULATIONS.--(1) The Secretary shall prescribe initial regulations under subsection (a) within 3 years after the date of enactment of the Federal Railroad Safety Authorization Act of 1994. The initial regulations may exempt equipment used by tourist, historic, scenic, and excursion railroad carriers to transport passengers.

"(2) The Secretary shall prescribe final regulations under subsection (a) within 5 years after such date of enactment.

"(c) PERSONNEL.--The Secretary may establish within the Department of Transportation 2 additional full-time equivalent positions beyond the number permitted under existing law to assist with the drafting, prescribing, and implementation of regulations under this section.

"(d) CONSULTATION.--In prescribing regulations, issuing orders, and making amendments under this section, the Secretary may consult with Amtrak, public authorities operating railroad passenger service, other railroad carriers transporting passengers, organizations of passengers, and organizations of employees. A consultation is not subject to the Federal Advisory Committee Act (5 U.S.C.App.), but minutes of the consultation shall be placed in the public docket of the regulatory proceeding."