

112TH CONGRESS  
1ST SESSION

# S. 562

To authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway.

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IN THE SENATE OF THE UNITED STATES

MARCH 10, 2011

Ms. MIKULSKI (for herself, Mr. CARDIN, Mrs. MURRAY, Mr. WARNER, and Mr. WEBB) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway.

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 “National Metro Safety  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Every weekday more than 7,000,000 people  
9 board rail transit vehicles in the United States.

1           (2) Despite the National Transportation Safety  
2 Board's recommendations to the Federal Transit  
3 Administration to establish and enforce Federal  
4 safety standards for transit agencies operating heavy  
5 rail on fixed guideway, the Federal Transit Adminis-  
6 tration has not taken action because of a perceived  
7 absence of authority to establish such standards.

8           (3) The Federal Transit Administration has not  
9 established minimum Federal standards that govern  
10 the structural crashworthiness of heavy rail pas-  
11 senger cars on fixed guideway.

12           (4) The National Transportation Safety Board  
13 concluded that the failure to have minimum crash-  
14 worthiness standards places an unnecessary risk on  
15 passengers and crew.

16           (5) The Federal Transit Administration does  
17 not have any requirements that rail transit cars be  
18 equipped with means for safe and rapid emergency  
19 responder entry and passenger evacuation.

20           (6) Although the installation of data recorders  
21 on rail transit cars would help investigators deter-  
22 mine the factors contributing to crashes, the Federal  
23 Transit Administration does not require such instal-  
24 lation.

1           (7) Although the National Transit Safety  
2 Board has expressed concern that the hours of serv-  
3 ice practices of transit agencies do not provide tran-  
4 sit vehicle operators with the opportunity to obtain  
5 adequate sleep to be fully alert and to operate safely,  
6 the Federal Transit Administration does not have  
7 hours of service regulations to govern the practices  
8 of transit agencies.

9 **SEC. 3. NATIONAL RAIL TRANSIT SAFETY STANDARDS.**

10       (a) ESTABLISHMENT.—Notwithstanding section  
11 5334(b)(1) of title 49, United States Code, the Secretary  
12 of Transportation, in consultation with the National  
13 Transportation Safety Board shall, by regulation, develop,  
14 implement, and enforce national safety standards for tran-  
15 sit agencies operating heavy rail on fixed guideway.

16       (b) INCLUSION OF NTSB RECOMMENDATIONS.—The  
17 standards established under subsection (a) shall include  
18 the standards recommended to the Federal Transit Ad-  
19 ministration by the National Transportation Safety Board  
20 related to crashworthiness, emergency access and egress,  
21 event recorders, and hours of service.

22       (c) REPORT.—Not later than 6 months after the date  
23 of the enactment of this Act, the Secretary of Transpor-  
24 tation shall submit a report to Congress that describes the

- 1 progress made in establishing the standards described in
- 2 subsection (a).

