

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. WALZ OF MINNESOTA

At the end of title VII, add the following:

1 **SEC. _____ . HAZARDOUS MATERIALS BY RAIL LIABILITY**

2 **STUDY.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of enactment of this Act, the Secretary shall initiate
5 a study on the levels and structure of insurance for a rail-
6 road carrier transporting hazardous materials.

7 (b) CONTENTS.—In conducting the study under sub-
8 section (a), the Secretary shall evaluate—

9 (1) the level and structure of insurance, includ-
10 ing self-insurance, available in the private market
11 against the full liability potential for damages aris-
12 ing from an accident or incident involving a train
13 transporting hazardous materials; and

14 (2) the level and structure of insurance that
15 would be necessary and appropriate—

16 (A) to efficiently allocate risk and financial
17 responsibility for claims; and

1 (B) to ensure that a railroad carrier trans-
2 porting hazardous materials can continue to op-
3 erate despite the risk of an accident or incident.

4 (c) REPORT.—Not later than 1 year after the date
5 the study under subsection (a) is initiated, the Secretary
6 shall submit a report containing the results of the study
7 and recommendations for addressing liability issues with
8 rail transportation of hazardous materials to—

9 (1) the Committee on Commerce, Science, and
10 Transportation of the Senate; and

11 (2) the Committee on Transportation and In-
12 frastructure of the House of Representatives.

13 (d) DEFINITIONS.—In this section:

14 (1) HAZARDOUS MATERIAL.—The term “haz-
15 arduous material” means a substance or material the
16 Secretary designates under section 5103(a) of title
17 49, United States Code.

18 (2) RAILROAD CARRIER.—The term “railroad
19 carrier” has the meaning given the term in section
20 20102 of title 49, United States Code.

