

**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;

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 (3) the potential applicability to trains trans-  
5 porting hazardous materials of—

6 (A) a liability regime modeled after section  
7 170 of the Atomic Energy Act of 1954, as  
8 amended (42 U.S.C. 2210); and

9 (B) a liability regime modeled after sub-  
10 title 2 of title XXI of the Public Health Service  
11 6 Act (42 U.S.C. 300aa–10 et seq.).

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

17 (1) the Committee on Commerce, Science, and  
18 Transportation of the Senate; and

19 (2) the Committee on Transportation and In-  
20 frastructure of the House of Representatives.

21 (d) DEFINITIONS.—In this section:

22 (1) HAZARDOUS MATERIAL.—The term “haz-  
23 arduous material” means a substance or material the  
24 Secretary designates under section 5103(a) of title  
25 49, United States Code.

1           (2) RAILROAD CARRIER.—The term “railroad  
2           carrier” has the meaning given the term in section  
3           20102 of title 49, United States Code.

