AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. WALZ OF MINNESOTA

At the end of title VII, add the following:

SEC. ______. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

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

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;

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

(A) to efficiently allocate risk and financial responsibility for claims; and
(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident;

(3) the potential applicability to trains transporting hazardous materials of—

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

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

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

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

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term “hazardous material” means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.
(2) RAILROAD CARRIER.—The term “railroad carrier” has the meaning given the term in section 20102 of title 49, United States Code.