

114TH CONGRESS  
1ST SESSION

# S. 650

To extend the positive train control system implementation deadline, and  
for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 4, 2015

Mr. BLUNT (for himself, Mrs. McCASKILL, Mr. THUNE, and Mr. NELSON)  
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 extend the positive train control system implementation  
deadline, and for other purposes.

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 “Railroad Safety and  
5 Positive Train Control Extension Act”.

6 **SEC. 2. IMPLEMENTATION DEADLINE.**

7 (a) TECHNOLOGY IMPLEMENTATION PLAN.—Section  
8 20156(e)(4) of title 49, United States Code, is amended  
9 to read as follows:

10 “(4) POSITIVE TRAIN CONTROL.—

1           “(A) IN GENERAL.—Except as required by  
2 section 20157 (relating to the requirements for  
3 implementation of positive train control sys-  
4 tems), the Secretary shall ensure that each rail-  
5 road carrier’s technology implementation plan  
6 required under paragraph (1) that includes a  
7 schedule for implementation of a positive train  
8 control system complies with that schedule.

9           “(B) RULE OF CONSTRUCTION.—Nothing  
10 in this section shall be construed as requiring  
11 the installation of positive train control on rail-  
12 road tracks if—

13                   “(i) positive train control is not re-  
14 quired on those tracks under section  
15 20157; and

16                   “(ii) the railroad does not choose to  
17 implement positive train control as a tech-  
18 nology on those tracks under this section.”.

19           (b) EXTENSION OF DEADLINE.—Section 20157 of  
20 title 49, United States Code, is amended—

21                   (1) in subsection (a)(1)—

22                           (A) by striking “Not later than 18 months  
23 after the date of enactment of the Rail Safety  
24 Improvement Act of 2008, each” and inserting  
25 “Each”; and

1 (B) by striking “by December 31, 2015”  
2 and inserting “by December 31, 2020”; and  
3 (2) in subsection (a)(1)(B), by striking “trans-  
4 ported” and inserting “transported on or after De-  
5 cember 31, 2015”.

6 **SEC. 3. AUTHORITY OF SECRETARY OF TRANSPORTATION**  
7 **TO EXTEND IMPLEMENTATION DEADLINE.**

8 (a) IN GENERAL.—Section 20157 of title 49, United  
9 States Code, as amended by section 2(b) of this Act, is  
10 further amended—

11 (1) in subsection (a)(1), by striking “Each  
12 Class I” and inserting “Except as provided under  
13 subsection (i), each Class I”;

14 (2) by redesignating subsection (i) as subsection  
15 (j); and

16 (3) by inserting before subsection (j), as redesi-  
17 gnated, the following:

18 “(i) IMPLEMENTATION EXTENSIONS.—

19 “(1) IN GENERAL.—The Secretary may extend  
20 in 1-year increments, upon application, the deadline  
21 for implementing a positive train control system  
22 under subsection (a)(1) for an applicant, if the Sec-  
23 retary determines that—

24 “(A) full implementation will likely be in-  
25 feasible due to circumstances beyond the control

1 of the applicant, including funding availability,  
2 spectrum acquisition, resource and technology  
3 availability, software development and testing,  
4 availability of alternate risk reduction strate-  
5 gies, and interoperability standards;

6 “(B) the applicant has demonstrated good  
7 faith in its positive train control system imple-  
8 mentation;

9 “(C) the applicant has presented a revised  
10 plan for implementing a positive train control  
11 system indicating how the applicant will fully  
12 implement a positive train control system as  
13 soon as feasible, but not later than December  
14 31, 2022; and

15 “(D) the extension will not extend later  
16 than December 31, 2022.

17 “(2) CONSIDERATIONS.—In making a deter-  
18 mination under paragraph (1), the Secretary shall  
19 consider—

20 “(A) whether the affected areas of track  
21 have been identified as areas of greater risk to  
22 the public and railroad employees in the appli-  
23 cant’s positive train control implementation  
24 plan under section 236.1011(a)(4) of title 49,  
25 Code of Federal Regulations (relating to PTC

1 Implementation Plan content requirements);  
2 and

3 “(B) the risk of operational failure to the  
4 affected service areas and the applicant.

5 “(3) REVIEW.—Not later than 10 days after  
6 the Secretary receives an application under para-  
7 graph (1), the Secretary shall review and approve or  
8 disapprove the application.”.

9 (b) CONFORMING AMENDMENT.—Section  
10 20156(e)(2) of title 49, United States Code, is amended  
11 by striking “as defined in section 20157(i)” and inserting  
12 “as defined in section 20157(j)”.

13 **SEC. 4. EQUIPPING LOCOMOTIVES OPERATING IN POSITIVE**  
14 **TRAIN CONTROL TERRITORY.**

15 Not later than 180 days after the date of enactment  
16 of this Act, the Secretary of Transportation shall revise  
17 section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal  
18 Regulations (relating to equipping locomotives operating  
19 in PTC territory) to extend each deadline 5 years.

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