

119TH CONGRESS
2D SESSION

S. 3987

To amend title 49 to include certain requirements regarding visual track inspections, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2026

Ms. BALDWIN (for herself and Mr. HAWLEY) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To amend title 49 to include certain requirements regarding
visual track inspections, 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 “Secure Tracks Act”.

5 **SEC. 2. TRACK INSPECTIONS.**

6 (a) IN GENERAL.—Subchapter II of chapter 201 of
7 title 49, United States Code, is amended by adding at the
8 end the following:

1 **“SEC. 20172. PROTECTING VISUAL TRACK INSPECTIONS**
2 **AND INCORPORATING AUTOMATED TRACK**
3 **INSPECTIONS.**

4 “(a) DEFINITIONS.—In this section:

5 “(1) CLASS 1 TRACK; CLASS 2 TRACK; CLASS 3
6 TRACK; CLASS 4 TRACK; CLASS 5 TRACK.—The terms
7 ‘Class 1 track’, ‘Class 2 track’, ‘Class 3 track’,
8 ‘Class 4 track’, and ‘Class 5 track’ have the mean-
9 ings given such terms in section 213.9(a) of title 49,
10 Code of Federal Regulations (as in effect on Janu-
11 ary 1, 2026).

12 “(2) MAIN LINE.—The term ‘Main line’ has the
13 meaning given such term in section 236.1003 of title
14 49, Code of Federal Regulations (as in effect on
15 January 1, 2026).

16 “(3) QUALIFIED INSPECTOR.—The term ‘quali-
17 fied inspector’ means a person designated as a quali-
18 fied person to inspect track for defects under section
19 213.7(b) of title 49, Code of Federal Regulations (as
20 in effect on January 1, 2026).

21 “(4) TRACK GEOMETRY MEASUREMENT SYS-
22 TEM.—The term ‘Track Geometry Measurement
23 System’ has the meaning given such term in section
24 213.333 of title 49, Code of Federal Regulations (as
25 in effect on January 1, 2026).

1 “(b) MINIMUM FREQUENCY FOR VISUAL TRACK IN-
 2 SPECTIONS.—All main line track designated for operation
 3 at Class 3 speeds or higher under section 213.9 of title
 4 49, Code of Federal Regulations, shall be subject to visual
 5 inspection not less frequently than twice each week, with
 6 at least 1 calendar day interval between each inspections
 7 by a qualified inspector.

8 “(c) IMMEDIATE REMEDIATION OF SAFETY DE-
 9 FECTS.—Any defect or unsafe condition identified by any
 10 inspection, detection, or monitoring method shall be cor-
 11 rected, protected, or removed from service immediately
 12 upon detection, consistent with the requirements of part
 13 213 of title 49, Code of Federal Regulations.

14 “(d) REMEDIATION BY QUALIFIED PERSON.—If a
 15 qualified inspector making track inspections finds a devi-
 16 ation from the requirements of part 213 of title 49, Code
 17 of Federal Regulations, the qualified inspector shall—

18 “(1) immediately initiate remedial action; and

19 “(2) have the sole authority to authorize any
 20 subsequent movements to facilitate repairs on track
 21 that is out of service.

22 “(e) PROHIBITION ON GRANTING WAIVERS THAT
 23 REDUCE SAFETY COVERAGE.—Notwithstanding any
 24 other provision of law, including section 20103 of this
 25 title, the Secretary of Transportation may not grant a

1 waiver, exemption, or modification of any safety regulation
 2 issued under chapter II of subtitle B of title 49, Code of
 3 Federal Regulations, if the proposed alternative inspec-
 4 tion, detection, or monitoring method fails to identify or
 5 detect all defect conditions defined or recognized as unsafe
 6 under applicable Federal Railroad Administration regula-
 7 tions.

8 “(f) AUTOMATED TRACK INSPECTION REQUIRE-
 9 MENTS.—Not later than 1 year after the date of the enact-
 10 ment of this section, the Secretary shall update subparts
 11 F and G of part 213 of title 49, Code of Federal Regula-
 12 tions, to require that a qualifying Track Geometry Meas-
 13 urement System (in this section referred to as ‘TGMS’)
 14 operate over the following track classifications at the fol-
 15 lowing frequencies:

16 “(1) For operations at a qualified cant defi-
 17 ciency (E_u) of more than 5 inches on Classes 1
 18 through 5 track, TGMS shall operate at least 4
 19 times per calendar year and at least 43 days shall
 20 elapse between TGMS inspections.

21 “(2) For Class 1 track, operating more than
 22 15,000,000 gross tons annually, TGMS shall operate
 23 at least once per calendar year and at least 170 days
 24 shall elapse between TGMS inspections.

25 “(3) For Class 2 track—

1 “(A) operating less than 15,000,000 gross
2 tons annually, TGMS shall operate at least once
3 per calendar year and at least 170 days shall
4 elapse between TGMS inspections; and

5 “(B) operating more than 15,000,000
6 gross tons annually, TGMS shall operate at
7 least twice per calendar year and at least 120
8 days shall elapse between TGMS inspections.

9 “(4) For Class 3 track—

10 “(A) operating fewer than 15,000,000
11 gross tons annually, TGMS shall operate at
12 least twice per calendar year and at least 120
13 days shall elapse between TGMS inspections;
14 and

15 “(B) operating more than 15,000,000
16 gross tons annually, TGMS shall operate at
17 least 3 times per calendar year and at least 90
18 days shall elapse between TGMS inspections.

19 “(5) For Class 4 track—

20 “(A) operating fewer than 15,000,000
21 gross tons annually, TGMS shall operate at
22 least 3 times per calendar year and at least 90
23 days shall elapse between TGMS inspections;
24 and

1 “(B) operating more than 15,000,000
2 gross tons annually, TGMS shall operate at
3 least 4 times per calendar year and at least 43
4 days shall elapse between TGMS inspections.

5 “(6) For Class 5 track, TGMS shall operate at
6 least 4 times per calendar year and at least 43 days
7 shall elapse between TGMS inspections.

8 “(7) For Class 6 and Class 7 track, TGMS
9 shall operate at least twice within any 120-day pe-
10 riod and at least 25 days shall elapse between
11 TGMS inspections.

12 “(8) For Class 8 track, TGMS shall operate at
13 least twice within any 60-day period and at least 12
14 days shall elapse between TGMS inspections.

15 “(9) For Class 9 track, TGMS shall operate at
16 least twice within any 30-day period and at least 6
17 days shall elapse between TGMS inspections.

18 “(10) For crossovers where the track speed is
19 more than 30 miles per hour, TGMS shall operate
20 at least twice per calendar year and at least 120
21 days shall elapse between TGMS inspections.

22 “(g) FIXING DEVIATION REQUIREMENTS.—Not later
23 than 1 year after the date of the enactment of this section,
24 the Secretary shall update part 213 of title 49, Code of
25 Federal Regulations, to require that when any inspection,

1 whether done by a qualified inspector or by a machine (in-
 2 cluding a TGMS machine), finds a deviation from the re-
 3 quirements of this part, the qualified inspector or other
 4 authorized personnel shall immediately remediate the devi-
 5 ation in accordance with part 213 of title 49, Code of Fed-
 6 eral Regulations.

7 “(h) APPLICABLE REQUIREMENTS.—The Secretary
 8 shall ensure that any requirements under subparts F and
 9 G of part 213 of title 49, Code of Federal Regulations,
 10 including section 213.333, generated by an update to the
 11 regulations made pursuant to subsection (f) or subsection
 12 (g) are applied to the applicable track Class.”.

13 (b) CLERICAL AMENDMENT.—The analysis for chap-
 14 ter 201 of title 49, United States Code, is amended by
 15 adding at the end the following:

“20172. Protecting visual track inspections and incorporating automated track
 inspection.”.

