

109TH CONGRESS
1ST SESSION

S. 763

To direct the Federal Railroad Administration to make welded rail and tank car improvements.

IN THE SENATE OF THE UNITED STATES

APRIL 12, 2005

Mr. DORGAN (for himself and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Federal Railroad Administration to make welded rail and tank car improvements.

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 “Welded Rail and Tank
5 Car Safety Improvement Act”.

6 **SEC. 2. WELDED RAIL AND TANK CAR SAFETY IMPROVE-**
7 **MENTS.**

8 (a) TRACK STANDARDS.—

1 (1) IN GENERAL.—Within 90 days after the
2 date of enactment of this Act, the Federal Railroad
3 Administration shall—

4 (A) require each track owner using contin-
5 uous welded rail track to include procedures (in
6 its procedures filed with the Administration
7 pursuant to section 213.119 of title 49, Code of
8 Federal Regulations) to improve the identifica-
9 tion of cracks in rail joint bars;

10 (B) instruct Administration track inspec-
11 tors to obtain copies of the most recent contin-
12 uous welded rail programs of each railroad
13 within the inspectors' areas of responsibility
14 and require that inspectors use those programs
15 when conducting track inspections; and

16 (C) establish a program to review contin-
17 uous welded rail joint bar inspection data from
18 railroads and Administration track inspectors
19 periodically.

20 (2) Whenever the Administration determines
21 that it is necessary or appropriate the Administra-
22 tion may require railroads to increase the frequency
23 of inspection, or improve the methods of inspection,
24 of joint bars in continuous welded rail.

1 (b) TANK CAR STANDARDS.—The Federal Railroad
2 Administration shall—

3 (1) validate a predictive model to quantify the
4 relevant dynamic forces acting on railroad tank cars
5 under accident conditions within 1 year after the
6 date of enactment of this Act; and

7 (2) initiate a rulemaking to develop and imple-
8 ment appropriate design standards for pressurized
9 tank cars within 18 months after the date of enact-
10 ment of this Act.

11 (c) OLDER TANK CAR IMPACT RESISTANCE ANAL-
12 YSIS AND REPORT.—Within 1 year after the date of enact-
13 ment of this Act the Federal Railroad Administration shall
14 conduct a comprehensive analysis to determine the impact
15 resistance of the steels in the shells of pressure tank cars
16 constructed before 1989. Within 6 months after com-
17 pleting that analysis the Administration shall—

18 (1) establish a program to rank those cars ac-
19 cording to their risk of catastrophic fracture and
20 separation;

21 (2) implement measures to eliminate or miti-
22 gate this risk; and

23 (3) transmit a report to the Senate Committee
24 on Commerce, Science, and Transportation and the
25 House of Representatives Committee on Transpor-

1 tation and Infrastructure setting forth the measures
2 implemented.

3 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to the Fed-
5 eral Railroad Administration \$1,000,000 for fiscal year
6 2006 to carry out this section, such sums to remain avail-
7 able until expended.

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