

111TH CONGRESS  
1ST SESSION

# S. 1506

To authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway.

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## IN THE SENATE OF THE UNITED STATES

JULY 23, 2009

Mr. REID (for Ms. MIKULSKI (for herself, Mr. CARDIN, and Mrs. MURRAY))  
introduced the following bill; which was read twice and referred to the  
Committee on Commerce, Science, and Transportation

NOVEMBER 4, 2009

Committee discharged; referred to the Committee on Banking, Housing, and  
Urban Affairs

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## A BILL

To authorize the Secretary of Transportation to establish  
national safety standards for transit agencies operating  
heavy rail on fixed guideway.

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 “National Metro Safety  
5   Act”.

### 6   **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) Every weekday more than 7,000,000 people  
2 board rail transit vehicles in the United States.

3           (2) Despite the National Transportation Safety  
4 Board's recommendations to the Federal Transit  
5 Administration to establish and enforce Federal  
6 safety standards for transit agencies operating heavy  
7 rail on fixed guideway, the Federal Transit Adminis-  
8 tration has not taken action because of a perceived  
9 absence of authority to establish such standards.

10          (3) The Federal Transit Administration has not  
11 established minimum Federal standards that govern  
12 the structural crashworthiness of heavy rail pas-  
13 senger cars on fixed guideway.

14          (4) The National Transportation Safety Board  
15 concluded that the failure to have minimum crash-  
16 worthiness standards places an unnecessary risk on  
17 passengers and crew.

18          (5) The Federal Transit Administration does  
19 not have any requirements that rail transit cars be  
20 equipped with means for safe and rapid emergency  
21 responder entry and passenger evacuation.

22          (6) Although the installation of data recorders  
23 on rail transit cars would help investigators deter-  
24 mine the factors contributing to crashes, the Federal

1 Transit Administration does not require such instal-  
2 lation.

3 (7) Although the National Transit Safety  
4 Board has expressed concern that the hours of serv-  
5 ice practices of transit agencies do not provide tran-  
6 sit vehicle operators with the opportunity to obtain  
7 adequate sleep to be fully alert and to operate safely,  
8 the Federal Transit Administration does not have  
9 hours of service regulations to govern the practices  
10 of transit agencies.

11 **SEC. 3. NATIONAL RAIL TRANSIT SAFETY STANDARDS.**

12 (a) ESTABLISHMENT.—Notwithstanding section  
13 5334(b)(1) of title 49, United States Code, the Secretary  
14 of Transportation, in consultation with the National  
15 Transportation Safety Board shall, by regulation, develop,  
16 implement, and enforce national safety standards for tran-  
17 sit agencies operating heavy rail on fixed guideway.

18 (b) INCLUSION OF NTSB RECOMMENDATIONS.—The  
19 standards established under subsection (a) shall include  
20 the standards recommended to the Federal Transit Ad-  
21 ministration by the National Transportation Safety Board  
22 related to crashworthiness, emergency access and egress,  
23 event recorders, and hours of service.

24 (c) REPORT.—Not later than 6 months after the date  
25 of the enactment of this Act, the Secretary of Transpor-

- 1 tation shall submit a report to Congress that describes the
- 2 progress made in establishing the standards described in
- 3 subsection (a).

