

1 AN ACT

2 relating to the authority of the Texas Department of Transportation
3 to adopt safety standards for high-speed rail.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter C, Chapter 111, Transportation Code,
6 is amended by adding Section 111.103 to read as follows:

7 Sec. 111.103. HIGH-SPEED RAIL SAFETY STANDARDS. (a) For
8 the purposes of this section, "high-speed rail" means passenger
9 rail service capable of operating at speeds greater than 185 miles
10 per hour.

11 (b) On application by a railroad company, the department by
12 rule may adopt safety standards for high-speed rail systems,
13 including rolling stock, for that railroad company.

14 (c) In adopting safety standards under Subsection (b), the
15 department:

16 (1) shall consider the safety records of high-speed
17 rail systems, including rolling stock, operated in countries with a
18 history of safe high-speed rail service; and

19 (2) may require the railroad company to construct
20 grade separations or physical barriers to isolate the railroad
21 company's high-speed rail systems from streets, roadways, or
22 existing freight or passenger railroads.

23 (d) A railroad company is not required to submit an
24 application to the department under Subsection (b) if the railroad

1 company is operating under safety standards approved by the Federal
2 Railroad Administration or another federal agency.

3 (e) The department by rule shall impose a reasonable fee on
4 a railroad company that submits an application under Subsection (b)
5 to recover costs incurred by the department in administering this
6 section.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2011.

David Dewhurst

President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 3771 was passed by the House on May 5, 2011, by the following vote: Yeas 132, Nays 14, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3771 on May 27, 2011, by the following vote: Yeas 91, Nays 47, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 3771 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Patry Gaw
Secretary of the Senate

APPROVED: 17 JUN '11

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4pm O'CLOCK

Debra Ralston
Secretary of State