| **House Bill 3771**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| SECTION 1. Subchapter C, Chapter 111, Transportation Code, is amended by adding Section 111.103 to read as follows:  Sec. 111.103. HIGH-SPEED RAIL SAFETY STANDARDS; FEES.  (a) Upon application by a railroad, the department by rule may adopt safety standards for high-speed passenger rail rolling stock and systems designed to operate at speeds in excess of 185 miles per hour for that railroad.  (b) The department may require the high-speed rail system to be isolated by grade separations or physical barriers from streets and roadways and existing freight or passenger railroads.  (c) The department shall consider safety records of rolling stock and systems operating internationally in countries with a history of safe commercial high-speed passenger rail service.  (d) A railroad is not required to seek approval of high-speed rail safety standards from the department if it is operating under standards approved by the Federal Railroad Administration or other federal authority.  (e) The department by rule shall adopt reasonable fees to recover all costs to administer this section. | SECTION 1. Subchapter C, Chapter 111, Transportation Code, is amended by adding Section 111.103 to read as follows:  Sec. 111.103. HIGH-SPEED RAIL SAFETY STANDARDS.  (a) For the purposes of this section, "high-speed rail" means passenger rail service capable of operating at speeds greater than 185 miles per hour.  (b) On application by a railroad company, the department by rule may adopt safety standards for high-speed rail systems, including rolling stock, for that railroad company.  (c) In adopting safety standards under Subsection (b), the department:  (2) may require the railroad company to construct grade separations or physical barriers to isolate the railroad company's high-speed rail systems from streets, roadways, or existing freight or passenger railroads.  (1) shall consider the safety records of high-speed rail systems, including rolling stock, operated in countries with a history of safe high-speed rail service; and  (d) A railroad company is not required to submit an application to the department under Subsection (b) if the railroad company is operating under safety standards approved by the Federal Railroad Administration or another federal agency.  (e) The department by rule shall impose a reasonable fee on a railroad company that submits an application under Subsection (b) to recover costs incurred by the department in administering this section. |  |
| SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011. | SECTION 2. Same as House version. |  |