

By: Schubert

H.B. No. 2169

A BILL TO BE ENTITLED

AN ACT

relating to the security of high-speed rail operated by a private entity.

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

SECTION 1. Chapter 112, Transportation Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. SECURITY FOR HIGH-SPEED RAIL OPERATED BY PRIVATE ENTITY

Sec. 112.201. DEFINITION. In this subchapter, "high-speed rail" means intercity passenger rail service that is reasonably expected to reach speeds of at least 110 miles per hour.

Sec. 112.202. APPLICABILITY. This subchapter applies only to high-speed rail operated by a private entity.

Sec. 112.203. DEPARTMENT OF PUBLIC SAFETY POWERS AND DUTIES. (a) To the extent not preempted by federal law, the Department of Public Safety:

(1) shall administer and enforce the provisions of this subchapter; and

(2) may adopt rules as necessary to administer this subchapter.

(b) In carrying out the powers and duties under this subchapter, the Department of Public Safety has the same authority granted to the Texas Department of Transportation under Subchapter B, Chapter 111.

1 (c) The Department of Public Safety shall provide the
2 emergency management training course described by Section 418.005,
3 Government Code, to employees of a high-speed rail line designated
4 under Section 112.204(c).

5 Sec. 112.204. SECURITY. (a) A high-speed rail operator
6 shall, in the manner required by law for Amtrak, as defined by 49
7 U.S.C. Section 24301, including by implementing any measures
8 required by regulations or guidelines adopted for Amtrak by the
9 Transportation Security Administration or a successor agency:

10 (1) establish secured areas;
11 (2) operate security screening stations; and
12 (3) provide on-board security for the entire rail
13 line.

14 (b) A high-speed rail operator shall collect and
15 investigate security threat reports submitted by members of the
16 public.

17 (c) A high-speed rail operator shall:
18 (1) designate employees who are managers or
19 supervisors and whose position description, job duties, or
20 assignment includes emergency management responsibilities; and
21 (2) require those employees to complete the emergency
22 management training described by Section 418.005, Government Code.

23 (d) A high-speed rail operator may not use the services of a
24 peace officer employed by this state or a political subdivision of
25 this state unless the operator compensates the state or political
26 subdivision, as applicable, for the officer's time.

27 Sec. 112.205. COORDINATION WITH OTHER ENTITIES. (a) A

1 high-speed rail operator shall coordinate security activities and
2 investigations with local law enforcement agencies, including by
3 communicating about credible threats, major events, and vulnerable
4 places along the rail line or on a train.

5 (b) A high-speed rail operator shall communicate as
6 appropriate with the state Emergency Management Council and the
7 Texas Division of Emergency Management about security issues.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2017.