

By: Birdwell, et al.  
(Schubert)

S.B. No. 975

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 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:

(1) has the same authority granted to the Texas Department of Transportation under Subchapter B, Chapter 111; and

1           (2) shall ensure that rules and standards adopted  
2 under this subchapter are consistent with applicable federal rules,  
3 regulations, and standards.

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

8           Sec. 112.204. SECURITY. (a) A high-speed rail operator  
9 shall:

10           (1) in the manner required by law for intercity  
11 passenger railroads, implement all security requirements of the  
12 Transportation Security Administration or its successor agency;

13           (2) conduct periodic risk-based threat and  
14 vulnerability assessments; and

15           (3) in consultation with the Transportation Security  
16 Administration, implement appropriate security measures in  
17 response to results of the assessments, which may include:

18                   (A) establishing effective intrusion protection  
19 and access controls for railroad-owned facilities and the rail  
20 corridor;

21                   (B) instituting active or passive passenger  
22 screening protocols; and

23                   (C) providing appropriate levels of onboard  
24 security for all revenue service trains.

25           (b) A high-speed rail operator shall collect and  
26 investigate security threat reports submitted by members of the  
27 public.

1       (c) A high-speed rail operator shall:

2               (1) designate employees who are managers or  
3 supervisors and whose position description, job duties, or  
4 assignment includes emergency management responsibilities; and

5               (2) require those employees to complete the emergency  
6 management training described by Section 418.005, Government Code.

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

11       Sec. 112.205. COORDINATION WITH OTHER ENTITIES. (a) A  
12 high-speed rail operator shall coordinate security activities and  
13 investigations with federal, state, and local law enforcement  
14 agencies, including by communicating about credible threats, major  
15 events, and vulnerable places along the rail line or on a train.

16       (b) A high-speed rail operator shall communicate as  
17 appropriate with the state Emergency Management Council and the  
18 Texas Division of Emergency Management about safety and security  
19 issues.

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