

BILL ANALYSIS

C.S.H.B. 1986
By: Leman
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the design of some high-speed rail systems being at odds with a recent federal ruling that such equipment be operable on both conventional tracks and dedicated high-speed rail tracks. It has been suggested that some designs make these systems incompatible with other train technology, potentially limiting the ability for Texas to interconnect with interstate rail systems. C.S.H.B. 1986 seeks to address this issue by requiring high-speed rail facilities constructed in Texas to be compliant with federal regulations for such facilities and compatible with certain types of train technology.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Transportation in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1986 amends the Transportation Code to require a private entity that constructs a rail facility for high-speed rail service to ensure that the rail facility:

- at a minimum, complies with regulations for that type of facility adopted by the Federal Railroad Administration under federal law in effect on January 31, 2019, regardless of whether the rail facility is an intrastate or interstate facility or whether a waiver of federal law has been granted for the facility;
- is compatible with train technology that exists at the time construction begins; and
- does not interfere with the use of other rail facilities or train technologies in use at the time construction begins.

The bill requires the Texas Department of Transportation to adopt rules as necessary to implement this requirement.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1986 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the required criteria for a rail facility constructed by a private entity for high-speed rail service from compatibility with more than one type of train technology to compatibility with train technology that exists at the time construction begins, noninterference with the use of other rail facilities or train technologies in use at that time, and compliance with certain applicable federal regulations.