

S 859

Crude-By-Rail Safety Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Mar 25, 2015

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Mar 25, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/859>

Sponsor

Name: Sen. Cantwell, Maria [D-WA]

Party: Democratic • **State:** WA • **Chamber:** Senate

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Mar 25, 2015
Sen. Feinstein, Dianne [D-CA]	D · CA		Mar 25, 2015
Sen. Murray, Patty [D-WA]	D · WA		Mar 25, 2015
Sen. Merkley, Jeff [D-OR]	D · OR		Apr 28, 2015
Sen. Peters, Gary C. [D-MI]	D · MI		Jan 20, 2016
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jan 28, 2016
Sen. Sanders, Bernard [I-VT]	I · VT		Apr 25, 2016
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jun 7, 2016

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Mar 25, 2015

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
114 HR 1804	Identical bill	Apr 16, 2015: Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Crude-By-Rail Safety Act

This bill directs the Department of Transportation (DOT) to:

- establish, by regulation, an interim national standard for the maximum volatility (measured by the vapor pressure) of crude oil transported by rail within the United States;
- study the best methods for reliably measuring that volatility as well as the level of volatility consistent with the safest practicable shipment of crude oil by rail;
- issue a final rule establishing the maximum volatility of crude oil transported by rail; and
- issue also a final rule, based on specified safety standards, which requires that all new tank cars designed to transport a Class 3 flammable liquid meet or exceed the design standards set forth in a related Notice of Proposed Rulemaking.

DOT shall prohibit immediately the shipment of oil or ethanol in: (1) any DOT-111 tank car that does not meet the requirements of Casualty Prevention Circular 1232, issued by the Association of American Railroads on August 31, 2011; or (2) any unjacketed CPC-1232 tank car. Tank cars retrofitted to meet or exceed certain design standards may, however, continue to transport oil or ethanol, but they must also be equipped with electronically controlled pneumatic brakes.

Rail carriers must perform at least two additional internal rail inspections per calendar year than required by specified law as well as at least four track geometry inspections on routes that: (1) the rail carrier owns or has been assigned maintenance responsibility, and (2) over which one or more high-hazard flammable trains are operated.

Any person offering oil for transportation shall complete spot inspections on 5% of all individual rail cars loaded with crude oil to:

- test and record the volatility of the crude oil in the cars, and
- ensure that the crude oil meets the interim national standard for maximum volatility established under this Act or any more restrictive volatility standard subsequently enacted.

DOT shall also complete spot inspections on crude oil volatility to ensure that volatility standards are being met.

Knowing violators of hazardous materials transportation law, of energy product inspections, and of rail inspections shall be subject to specified civil penalties.

DOT shall:

- establish or expand safety programs relating to the transportation of energy products and other Class 3 flammable liquids by rail, pipeline, highway, and waterway; and
- publish a final rule revising certain oil spill prevention and response plan regulations to include specified requirements.

No rail carrier may operate any high-hazard flammable train in any state until it has given specified information, including emergency response and contact information, to the Emergency Response Commission for that state and any local emergency planning committee along the route the train will operate.

Rail carriers must collaborate to develop an inventory of emergency response resources along routes over which one or more high-hazard flammable trains operate for responding to worst case discharges resulting from accidents involving unit trains or blocks of tank cars transporting Class 3 flammable liquids.

DOT shall:

- promulgate requirements for a railroad carrier to follow in establishing a confidential close call reporting system program meeting specified criteria,
- contract with the Transportation Research Board of the National Academy of Sciences to study high-hazard flammable train liability, and
- conduct a comprehensive review of existing regulations for energy products transported by all modes of transportation.

Actions Timeline

- **Mar 25, 2015:** Introduced in Senate
- **Mar 25, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.