

1
(revised)

**AMENDMENT TO H.R. 2095, AS REPORTED
OFFERED BY MR. OBERSTAR OF MINNESOTA**

Page 27, line 19, through page 34, line 14, amend title III to read as follows (and amend the table of contents accordingly):

1 **TITLE III—BRIDGE SAFETY**

2 **SEC. 301. RAILROAD BRIDGE SAFETY ASSURANCE.**

3 Not later than 12 months after the date of enactment
4 of this Act, the Federal Railroad Safety Administration
5 shall implement regulations requiring owners of track car-
6 ried on one or more railroad bridges to adopt safety prac-
7 tices to prevent the deterioration of railroad bridges and
8 reduce the risk of human casualties, environmental dam-
9 age, and disruption to the Nation’s transportation system
10 that would result from a catastrophic bridge failure. The
11 regulations shall, at a minimum—

12 (1) require each track owner to—

13 (A) develop and maintain an accurate in-
14 ventory of its railroad bridges, which shall iden-
15 tify the location of each bridge, its configura-
16 tion, type of construction, number of spans,
17 span lengths, and all other information nec-

1 essary to provide for the safe management of
2 the bridges;

3 (B) ensure that a professional engineer
4 competent in the field of railroad bridge engi-
5 neering, or a qualified person under the super-
6 vision of the track owner, determines bridge ca-
7 pacity;

8 (C) maintain, and update as appropriate, a
9 record of the safe capacity of each bridge which
10 carries its track and, if available, maintain the
11 original design documents of each bridge and a
12 documentation of all repairs, modifications, and
13 inspections of the bridge;

14 (D) develop, maintain, and enforce a writ-
15 ten procedure that will ensure that its bridges
16 are not loaded beyond their capacities;

17 (E) conduct regular comprehensive inspec-
18 tions of each bridge, at least once per year, and
19 maintain records of those inspections that in-
20 clude the date on which the inspection was per-
21 formed, the precise identification of the bridge
22 inspected, the items inspected, an accurate de-
23 scription of the condition of those items, and a
24 narrative of any inspection item that is found
25 by the inspector to be a potential problem;

1 (F) ensure that the level of detail and the
2 inspection procedures are appropriate to the
3 configuration of the bridge, conditions found
4 during previous inspections, and the nature of
5 the railroad traffic moved over the bridge, in-
6 cluding car weights, train frequency and length,
7 levels of passenger and hazardous materials
8 traffic, and vulnerability of the bridge to dam-
9 age;

10 (G) ensure that an engineer who is com-
11 petent in the field of railroad bridge engineer-
12 ing—

13 (i) is responsible for the development
14 of all inspection procedures;

15 (ii) reviews all inspection reports; and

16 (iii) determines whether bridges are
17 being inspected according to the applicable
18 procedures and frequency, and reviews any
19 items noted by an inspector as exceptions;
20 and

21 (H) designate qualified bridge inspectors
22 or maintenance personnel to authorize the oper-
23 ation of trains on bridges following repairs,
24 damage, or indications of potential structural
25 problems;

1 (2) instruct Administration bridge inspectors to
2 obtain copies of the most recent bridge management
3 programs and procedures of each railroad within the
4 inspector's areas of responsibility, and require that
5 inspectors use those programs when conducting
6 bridge inspections; and

7 (3) establish a program to review bridge inspec-
8 tion and maintenance data from railroads and Ad-
9 ministration bridge inspectors periodically.

Page 73, lines 18 through 21, strike section 610.

Page 73, line 22, through page 77, line 16, redesignate sections 611 through 615 as sections 610 through 614, respectively (and amend the table of contents accordingly).

Page 79, line 1, through page 80, line 7, strike section 616 (and amend the table of contents accordingly).

Page 80, after line 7, insert the following new section (and amend the table of contents accordingly):

10 **SEC. 615. LOCOMOTIVE HORN REQUIREMENT WAIVER.**

11 Section 20153(c) of title 49, United States Code, is
12 amended by adding at the end the following new para-
13 graph:

14 “(3) The Secretary, in reviewing applications for
15 waivers or exemptions, shall consider horn noise and the

- 1 impact of such noise on the local community and the
- 2 unique characteristics of the community.”.