

110TH CONGRESS  
1ST SESSION

# H. R. 1033

To direct the Secretary of Transportation to establish a grant program to improve railroad safety by providing funds for the construction and maintenance of fencing and other protective structures along railroad tracks, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2007

Mr. WEINER introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To direct the Secretary of Transportation to establish a grant program to improve railroad safety by providing funds for the construction and maintenance of fencing and other protective structures along railroad tracks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Ari’s Law”.

1 **SEC. 2. ESTABLISHMENT OF RAILROAD SAFETY GRANT**  
2 **PROGRAM.**

3 (a) GRANTS.—The Secretary of Transportation  
4 (hereafter referred to as the “Secretary”) shall establish  
5 a grant program to improve railroad safety by providing  
6 funds to eligible entities to construct and maintain fencing  
7 and other protective structures along railroad tracks.

8 (b) ELIGIBLE ENTITY.—For the purposes of this Act,  
9 “eligible entity” means any of the following:

10 (1) A unit of local government who owns or  
11 controls land along a railroad right-of-way.

12 (2) Any other person providing railroad trans-  
13 portation.

14 (c) GRANT CONDITIONS.—

15 (1) CERTIFICATION REQUIRED.—In order to re-  
16 ceive a grant under the program for a fiscal year,  
17 an eligible entity must certify to the Secretary, at  
18 such time and in such form as the Secretary may re-  
19 quire, that—

20 (A) the eligible entity will monitor or in-  
21 spect all of the fencing and other protective  
22 structures along railroad tracks within the enti-  
23 ty’s jurisdiction not less frequently than once  
24 per week; and

25 (B) the eligible entity will repair any defi-  
26 ciency in the fencing and other protective struc-

1           tures within 2 weeks of finding or being notified  
2           of such deficiency.

3           (2) PERIOD OF APPLICABILITY.—An eligible en-  
4           tity that receives a grant shall monitor and repair  
5           fencing and other protective structures, as described  
6           in subparagraphs (A) and (B) of paragraph (1), for  
7           the period beginning with the receipt of grant funds  
8           and ending 10 years after the date on which all  
9           grant funds received under the program by the enti-  
10          ty have been expended.

11          (d) RAILROAD DEFINED.—For the purposes of this  
12          Act, “railroad” means any form of nonhighway ground  
13          transportation that runs on rails or electromagnetic guide-  
14          ways.

15          (e) AUTHORIZATION OF APPROPRIATIONS.—

16                (1) GRANTS.—For grants under this section,  
17                there is authorized to be appropriated \$20 million  
18                for fiscal year 2008 and each succeeding fiscal year.

19                (2) CONTINUING AVAILABILITY OF AMOUNTS  
20                APPROPRIATED.—Amounts appropriated pursuant to  
21                the authorization under paragraph (1) shall remain  
22                available until expended.

1 **SEC. 3. STUDYING AND REPORTING ON BEST PRACTICES**  
2 **FOR RAILROAD SAFETY.**

3 (a) **STUDY OF BEST PRACTICES.**—The Administrator  
4 of the Federal Railroad Administration shall study the  
5 best practices for railroad safety related to the construc-  
6 tion, monitoring, and repair of fencing and other protec-  
7 tive structures along railroad tracks.

8 (b) **REPORT.**—Not later than 1 year after the date  
9 of enactment of this Act, the Administrator shall submit  
10 a report of the findings from the study conducted in sub-  
11 section (a) to Congress.

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