

Regular Session, 2014

HOUSE BILL NO. 446

BY REPRESENTATIVE LEGER

1 AN ACT

2 To enact R.S. 48:214, relative to public transportation safety; to provide for fixed guideway
3 rail systems; to designate the office of multimodal planning as the state safety
4 oversight entity; to provide for duties and powers of the office; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:214 is hereby enacted to read as follows:

8 §214. Fixed guideway rail systems; safety

9 A. The office of multimodal planning of the Department of Transportation
10 and Development is hereby designated as the state safety oversight entity pursuant
11 to 49 U.S.C. 5329(e)(4).

12 B. As the state safety oversight entity, the office shall have the following
13 powers and duties only to the extent necessary to fulfill its obligations under federal
14 law:

15 (1) Enter onto and inspect the property of operators of fixed guideway rail
16 systems receiving federal funds without prior notice to such operators.

17 (2) Audit operators of fixed guideway rail systems receiving federal funds
18 for compliance with federal and state laws regarding the safety of fixed guideway
19 rail systems and compliance with a public transportation agency safety plan adopted
20 by a specific operator pursuant to 49 U.S.C. 5329(d).

21 (3) Direct the operator of a fixed guideway rail system to correct a safety
22 hazard by a specified date and time.

23 (4) Take legal action in a court of competent jurisdiction to compel an
24 operator of a fixed guideway rail system to correct a safety hazard, or to prevent the

1 operation of all or part of a fixed guideway rail system that the office has determined
2 to be unsafe.

3 (5) Audit, review, approve, and oversee operators of fixed guideway rail
4 systems receiving federal funds for compliance with a plan adopted by a specific
5 operator in compliance with Title 49, Section 5329(d) of the United States Code.

6 (6) Enforce statutes, regulations, executive orders, and rules relating to the
7 operation of a fixed guideway rail public transportation system in Louisiana.

8 (7) Implement such rules and regulations as may be necessary in order to
9 comply with this Section, and as may be promulgated by the Louisiana Department
10 of Transportation and Development, in accordance with the Louisiana
11 Administrative Procedure Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____