

111TH CONGRESS
2D SESSION

H. R. 6150

To amend the limitation on liability for certain passenger rail accidents or incidents under section 28103 of title 49, United States Code, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2010

Mr. GALLEGLY (for himself, Mr. LEWIS of California, Mr. MCKEON, Mr. SIMPSON, Mr. CALVERT, Mr. LATOURETTE, Mrs. NAPOLITANO, Mrs. CAPPs, Ms. LORETTA SANCHEZ of California, Mr. FILNER, Mr. BACA, and Ms. RICHARDSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the limitation on liability for certain passenger rail accidents or incidents under section 28103 of title 49, United States Code, 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. ACCIDENT LIABILITY.**

4 (a) AMENDMENT.—Section 28103 of title 49, United
5 States Code, is amended—

1 (1) in subsection (a)(2), by striking “The ag-
2 gregate” and inserting “Except as provided in para-
3 graph (3), the aggregate”;

4 (2) by adding at the end of subsection (a) the
5 following new paragraph:

6 “(3) The liability cap under paragraph (2) shall be
7 \$500,000,000 if the accident or incident was proximately
8 caused by gross negligence or willful misconduct of the
9 defendant. Such amount shall be adjusted annually by the
10 Secretary to reflect changes in the Consumer Price Index-
11 All Urban Consumers.”; and

12 (3) in subsection (c), by striking
13 “\$200,000,000” and inserting “\$500,000,000”.

14 (b) EFFECTIVE DATE.—The amendments made by
15 subsection (a) shall be effective for any passenger rail acci-
16 dent or incident occurring on or after September 12, 2008.

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