

Public Law 114-94
114th Congress

An Act

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. <<NOTE: Dec. 4, 2015 - [H.R. 22]>>

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, <<NOTE: Fixing America's Surface Transportation Act. 23 USC 101 note.>>
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.--This Act may be cited as the ``Fixing America's Surface Transportation Act" or the ``FAST Act".

(b) Table of Contents.--The table of contents for this Act is as follows:

SEC. 11412. RAILROAD POLICE OFFICERS. (a) IN GENERAL.—Section 28101 of title 49, United States Code, is amended— (1) by striking “employed by” each place it appears and inserting “directly employed by or contracted by”; (2) in subsection (b), by inserting “or agent, as applicable,” after “an employee”; and (3) by adding at the end the following: “(c) TRANSFERS.— “(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State H. R. 22—377 transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence. “(2) INTERIM PERIOD.— During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a). “(d) TRAINING.— “(1) IN GENERAL.—A State may recognize as meeting that State’s basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State. “(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any State training requirements related to criminal law, criminal procedure, motor

vehicle code, any other State law, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.’’. (b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual’s State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in the States in which the railroad owns property. (c) CONFORMING AMENDMENTS.— (1) AMTRAK RAIL POLICE.—Section 24305(e) of title 49, United States Code, is amended— (A) by striking ‘‘may employ’’ and inserting ‘‘may directly employ or contract with’’; (B) by striking ‘‘employed by’’ and inserting ‘‘directly employed by or contracted by’’; and (C) by striking ‘‘employed without’’ and inserting ‘‘directly employed or contracted without’’. (2) EXCEPTIONS.—Section 922(z)(2)(B) of title 18, United States Code, is amended by striking ‘‘employed by’’ and inserting ‘‘directly employed by or contracted by’’. SEC. 11413. REPAIR AND REPLACEMENT OF DAMAGED TRACK IN