



Rep. Jay C. Hoffman

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09500HB2133ham001

LRB095 01089 BDD 34602 a

1 AMENDMENT TO HOUSE BILL 2133

2 AMENDMENT NO. _____. Amend House Bill 2133 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Bi-State Transit Safety Act is amended by
5 changing Sections 10 and 15 as follows:

6 (45 ILCS 111/10)

7 Sec. 10. Powers. In further effectuation of the Bi-State
8 Development Compact Act creating the Bi-State Development
9 Agency, the State of Illinois hereby authorizes the St. Clair
10 County Transit District to exercise the following powers:

11 (1) To regulate the safety and security of passengers,
12 employees, and property of rail fixed guideway systems ~~and~~
13 ~~the personal security of the passengers and employees~~ of
14 the Bi-State Development Agency located and operated
15 within the boundaries of the State of Illinois, to the
16 extent required by ~~in a manner consistent with~~ "Rail Fixed

1 Guideway Systems; State Safety Oversight", 49 CFR Part 659,
2 as now or hereafter amended.

3 (2) To develop, adopt, and implement a system safety
4 program standard meeting the compliance requirements
5 prescribed in ~~Sections 659.31 and 659.33 of "Rail Fixed~~
6 Guideway Systems; State Safety Oversight", 49 CFR Part 659,
7 as now or hereafter amended.

8 (3) To require the Bi-State Development Agency to
9 comply with the system safety program standard and ~~report~~
10 ~~accidents and unacceptable hazardous conditions to the St.~~
11 ~~Clair County Transit District within a period of time~~
12 ~~specified by the District as required by Section 659.39 of~~
13 "Rail Fixed Guideway Systems; State Safety Oversight", 49
14 CFR Part 659, as now or hereafter amended.

15 (4) To perform all other necessary and incidental
16 functions related to the effectuation of this Act as
17 mandated by ~~establish procedures to investigate accidents~~
18 ~~and unacceptable hazardous conditions as required by~~
19 ~~Section 659.41 of "Rail Fixed Guideway Systems; State~~
20 Safety Oversight", 49 CFR Part 659, as now or hereafter
21 amended.

22 (5) Neither the District or its directors, officers, or
23 employees nor the Bi-State Development Agency subject to
24 this Section or its directors, officers, or employees shall
25 be held liable in any civil action for any injury to any
26 person or property for any acts or omission or failure to

1 act under this Section or pursuant to "Rail Fixed Guideway
2 Systems; State Safety Oversight", 49 CFR Part 659, as now
3 or hereafter amended. To direct the Bi-State Development
4 Agency to minimize, control, correct, or eliminate any
5 investigated hazardous condition within a period of time
6 specified by the St. Clair County Transit District as
7 required by Section 659.43 of "Rail Fixed Guideway Systems;
8 State Safety Oversight".

9 ~~(6) To perform all other necessary and incidental~~
10 ~~functions related to its effectuation of this Act and as~~
11 ~~mandated by "Rail Fixed Guideway Systems; State Safety~~
12 ~~Oversight".~~

13 (Source: P.A. 92-281, eff. 8-7-01; re-enacted by P.A. 92-788,
14 eff. 8-6-02.)

15 (45 ILCS 111/15)

16 Sec. 15. Confidentiality of ~~investigation~~ reports. The
17 system security ~~portion of the system safety program~~ plan,
18 investigation reports, surveys, schedules, lists, or data
19 compiled, collected, or prepared by the Bi-State Development
20 Agency or the St. Clair County Transit District under this Act,
21 shall not be subject to discovery or admitted into evidence in
22 federal or State court or considered for other purposes in any
23 civil action for damages arising from any matter mentioned or
24 addressed in such plan, reports, surveys, schedules, lists, or
25 data.

1 (Source: P.A. 92-281, eff. 8-7-01; re-enacted by P.A. 92-788,
2 eff. 8-6-02.)

3 (45 ILCS 111/5 rep.)

4 Section 10. The Bi-State Transit Safety Act is amended by
5 repealing Section 5."