

119TH CONGRESS
2D SESSION

S. _____

To reduce crime on public transportation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HAGERTY introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To reduce crime on public transportation, 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 the “Safe Transit Act”.

5 **SEC. 2. CONDITION TRANSIT FUNDING ON IMPROVEMENTS**

6 **IN CRIME.**

7 (a) IN GENERAL.—Chapter 53 of title 49, United
8 States Code, is amended—

9 (1) in section 5302—

10 (A) by striking paragraph (1);

1 (B) by redesignating paragraphs (2)
2 through (25) as paragraphs (3) through (26),
3 respectively; and

4 (C) by inserting before paragraph (3), as
5 so redesignated, the following:

6 “(1) ASSAULT.—The term ‘assault’ means a
7 circumstance in which an individual knowingly, with-
8 out lawful authority or permission, and with intent
9 to endanger the personal safety of any individual, or
10 with a reckless disregard for the safety of human
11 life, puts someone in reasonable fear of imminent
12 harmful or offensive contact or makes harmful or of-
13 fensive contact with an individual.

14 “(2) ASSAULT ON A TRANSIT WORKER.—The
15 term ‘assault on a transit worker’ means an assault
16 that interferes with, disables, or incapacitates a
17 transit worker while the transit worker is performing
18 the duties of the transit worker.”;

19 (2) in section 5307(c)(1)—

20 (A) striking subparagraph (J);

21 (B) redesignating subparagraphs (K) and
22 (L) as subparagraphs (J) and (K), respectively;

23 (C) in subparagraph (J), as so redesign-
24 ated, by striking “and” at the end; and

25 (D) by adding at the end the following:

“(L) in the case of a recipient for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, that operates a minimum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, does not operate any program charging a fare of 0 dollars except—

“(i) programs described in subparagraph (D);

“(ii) other reduced or no-fare programs for seniors, individuals with disabilities, children, students, and veterans;

“(iii) temporary programs operated beginning not more than 6 months before major events, such as the World Cup or Olympics, and terminating not more than 6 months after such events;

“(iv) temporary programs responding to natural disasters or other declared emergencies;

“(v) programs subsidized in full that are under contract with a third party or offset by a locally adopted tax intended to

1 subsidize fares in a specific corridor or
2 area, including university systems, and
3 downtown circulators funded by business
4 improvement districts;
5 “(vi) other programs as specified in
6 regulation; and”;

7 (3) by amending section 5321 to read as fol-
8 lows:

9 **“§ 5321. Crime prevention and personal safety**

10 “(a) ELIGIBLE EXPENSE.—For purposes of expend-
11 ing financial assistance described in section 5329(l)(1),
12 the following activities and projects shall be considered to
13 be an eligible expense:

14 “(1) A project to increase lighting in or adja-
15 cent to a public transportation system, including the
16 intercity bus portion of a Federally funded public
17 transportation facility and joint-use facility (includ-
18 ing bus stops, subway stations, parking lots, and ga-
19 rages).

20 “(2) A project to increase camera surveillance
21 of an area in or adjacent to such system.

22 “(3) A project that provides an emergency tele-
23 phone line to contact law enforcement or security
24 personnel in an area in or adjacent to such system.

1 “(4) A project to improve farebox infrastruc-
2 ture across such system.

3 “(5) A project to improve the cybersecurity of
4 such system.

5 “(6) A project to improve technology, including
6 any hardware or software investments designed to
7 combat or report crime or improve security.

8 “(7) A project intended to increase the security
9 and safety of an existing or planned public transpor-
10 tation system.

11 “(8) A project, including a project for operating
12 costs notwithstanding section 5307(a)(1)(D), related
13 to—

14 “(A) fare enforcement and the prevention
15 of fare evasion;

16 “(B) hiring transit officers to police on
17 public transportation and transit stations, in-
18 cluding in the immediate vicinity of such sta-
19 tions;

20 “(C) contracting with local police depart-
21 ments to increase officer presence on public
22 transportation systems and related facilities, in-
23 cluding in the immediate vicinity of stations; or

24 “(D) other activities to reduce criminal ac-
25 tivities on public transportation systems, includ-

1 ing intercity bus portions of Federally funded
2 public transportation facilities and joint-use fa-
3 cilities.

4 “(b) MANDATORY PENALTIES.—

5 “(1) IN GENERAL.—Beginning with fiscal year
6 2028, after providing the recipient with 30 days to
7 address the deficiency, the Secretary shall withhold
8 up to 100 percent of the assistance available to a di-
9 rect recipient, as allocated in a split letter or other
10 similar determination of the annual apportionment
11 of funds by a designated recipient under any for-
12 mula program under this chapter for an urbanized
13 area, in each fiscal year in which a State or local
14 government is not in compliance with paragraph (2).

15 “(2) STATE OR LOCAL GOVERNMENT COMPLI-
16 ANCE.—A State or local government is not in com-
17 pliance with this paragraph if—

18 “(A) the act of evading a fare payment for
19 public transportation services on any mode of
20 public transportation in the urbanized area for
21 which a direct recipient receives assistance de-
22 scribed under paragraph (1) is not a criminal
23 offense under the laws of such State or local
24 government;

1 “(B) the laws of such State or local gov-
2 ernment do not include a provision banning any
3 person who has committed assault or any other
4 violent criminal offense on a public transpor-
5 tation system from riding on that public trans-
6 portation system; or

7 “(C) the laws of such State or local gov-
8 ernment permit the release pending trial of a
9 person charged with a criminal offense on per-
10 sonal recognizance or upon execution of an un-
11 secured appearance bond.

12 “(3) PUBLIC TRANSPORTATION SERVICES IN
13 MULTIPLE JURISDICTIONS.—In any case in which a
14 direct recipient provides public transportation serv-
15 ices to more than 1 State or jurisdiction of a local
16 government, the Secretary shall ensure that the
17 withholding of funds under paragraph (1) does not
18 adversely affect any State or local government juris-
19 diction that is in compliance with the requirements
20 of paragraph (2).

21 “(4) RULE OF CONSTRUCTION.—The Secretary
22 may not withhold funds under paragraph (1) to any
23 recipient for which all of its service area is covered
24 by a State or local policy, or a collection of State or

1 local policies, that is in compliance with paragraph
2 (2).

3 “(5) WITHHOLDING OF FUNDS.—

4 “(A) IN GENERAL.—If the Secretary deter-
5 mines a State or local government comes into
6 compliance with paragraph (2) in a fiscal year
7 in which funds are withheld to a direct recipient
8 under paragraph (1), the Secretary shall make
9 the amount withheld available for apportion-
10 ment to the direct recipient.

11 “(B) LAPSE.—Any amounts withheld to a
12 direct recipient under paragraph (1) and not re-
13 stored under subparagraph (A) in a fiscal year
14 shall lapse.”;

15 (4) in section 5329—

16 (A) in subsection (b)(2), by amending sub-
17 paragraph (A) to read as follows:

18 “(A) safety performance criteria for all
19 modes of public transportation, including safety
20 performance measures related to the system
21 safety risk reduction program under subsection
22 (d)(1)(I), the crime prevention and personal
23 safety risk reduction program under subsection
24 (d)(1)(J), and the family friendliness program
25 under subsection (d)(1)(K);”;

1 (B) in subsection (d)—

2 (i) in paragraph (1)—

3 (I) by amending subparagraph

4 (F) to read as follows:

5 “(F) performance targets based on the
6 safety performance criteria and state of good
7 repair standards established under subpara-
8 graphs (A) and (B), respectively, of subsection
9 (b)(2);”;

10 (II) in subparagraph (H)(ii)—

11 (aa) in subclause (I), by
12 adding “and” at the end;

13 (bb) in subclause (II), by
14 striking “and” at the end; and

15 (cc) by striking subclause
16 (III);

17 (III) in subparagraph (I)—

18 (aa) in the matter preceding
19 clause (i)—

20 (AA) by inserting “sys-
21 tem safety” before “risk re-
22 duction”;

23 (BB) by striking “rates
24 of accidents, injuries, and
25 assaults on transit workers”

1 and inserting “rates of acci-
2 dents and injuries”; and
3 (CC) by striking “in-
4 cluding—” and inserting
5 “which shall include—”; and
6 (bb) by amending clause (ii)

7 to read as follows:

8 “(ii) safety performance targets set by
9 the Secretary, in consultation with appro-
10 priate law enforcement counterparts, for
11 operators with more than 30 vehicles
12 across all modes or with 30 vehicles or less
13 across all modes and that operate a fixed
14 guideway or high intensity busway, and op-
15 erators that operate at not less than 100
16 revenue vehicles in maximum service,
17 which targets shall—

18 “(I) notwithstanding section
19 5334(k) of this chapter and the rule-
20 making procedures under section 553
21 of title 5, be set by the Secretary not
22 later than 90 days after the date of
23 enactment of the Safe Transit Act;
24 and

1 “(II) upon availability of the rel-
2 evant data in the national transit
3 database, achieve better performance
4 than the 3-year rolling national aver-
5 age;” and

6 (IV) by adding at the end the fol-
7 lowing:

8 “(J) in the case of a recipient receiving as-
9 sistance under section 5307 that is serving an
10 urbanized area with a population of 200,000 or
11 more, a crime prevention and personal safety
12 risk reduction program, which shall include—

13 “(i) the mitigation of assaults on
14 transit workers, including the deployment
15 of assault mitigation infrastructure and
16 technology on buses, including barriers to
17 restrict the unwanted entry of individuals
18 and objects into the workstations of bus
19 operators when a risk analysis performed
20 by the safety committee of the recipient es-
21 tablished under paragraph (4) determines
22 that such barriers or other measures would
23 reduce assaults on transit workers and in-
24 juries to transit workers;

1 “(ii) strategies, including plans and
2 policies, to achieve a reduction of the num-
3 bers and rates of fare evasion, assaults on
4 passengers, and assaults on transit work-
5 ers; and

6 “(iii) safety performance targets set
7 by the Secretary, in consultation with ap-
8 propriate law enforcement counterparts,
9 for operators with more than 30 vehicles
10 across all modes or with 30 vehicles or less
11 across all modes and that operate a fixed
12 guideway or high intensity busway, and op-
13 erators that operate at not less than 100
14 revenue vehicles in maximum service,
15 which targets shall—

16 “(I) notwithstanding section
17 5334(k) of this chapter and the rule-
18 making procedures under section 553
19 of title 5, be set by the Secretary not
20 later than 90 days after the date of
21 enactment of the Safe Transit Act;
22 and

23 “(II) upon availability of the rel-
24 evant data in the national transit
25 database, achieve better performance

1 than the 3-year rolling national aver-
2 age; and

3 “(K) in the case of a recipient receiving as-
4 sistance under section 5307 that is serving an
5 urbanized area with a population of 200,000 or
6 more, a family friendliness program for transit
7 systems to improve safety, accessibility, and
8 family friendliness, including—

9 “(i) information regarding—

10 “(I) reducing crime on transit ve-
11 hicles or in transit facilities;

12 “(II) improving accessibility of
13 transit vehicles and facilities;

14 “(III) enhancing service reli-
15 ability;

16 “(IV) increasing real-time data
17 availability; and

18 “(V) ensuring cleanliness of tran-
19 sit vehicles and facilities;

20 “(ii) mitigations or strategies, includ-
21 ing plans and policies, to improve the per-
22 formance measures described in clause (i);

23 “(iii) any data used by the recipient
24 to track the performance measures in sub-
25 paragraph (i); and

1 “(iv) safety performance targets set
2 by the Secretary, in consultation with ap-
3 propriate law enforcement counterparts,
4 for operators with more than 30 vehicles
5 across all modes or with 30 vehicles or less
6 across all modes and that operate a fixed
7 guideway or high intensity busway, and op-
8 erators that operate at not less than 100
9 revenue vehicles in maximum service,
10 which targets shall—

11 “(I) notwithstanding section
12 5334(k) of this chapter and the rule-
13 making procedures under section 553
14 of title 5, be set by the Secretary not
15 later than 90 days after the date of
16 enactment of the Safe Transit Act;
17 and

18 “(II) upon availability of the rel-
19 evant data in the national transit
20 database, achieve better performance
21 than the 3-year rolling national aver-
22 age.”;

23 (ii) by striking paragraph (4); and

24 (iii) by redesignating paragraph (5) as
25 paragraph (4);

1 (C) in subsection (g)—

2 (i) in paragraph (1)—

3 (I) in the matter preceding sub-
4 paragraph (A), by inserting “or crime
5 prevention and personal safety” after
6 “public transportation system”; and

7 (II) in subparagraph (E), by
8 striking “not more than 25 percent of
9 financial assistance under section
10 5307” and inserting place “not more
11 than 100 percent of formula grant
12 funding under this chapter”;

13 (ii) in paragraph (2)—

14 (I) in subparagraph (A)—

15 (aa) by striking “in accord-
16 ance with” and inserting
17 “under”;

18 (bb) by striking “refused to
19 comply with Federal law relat-
20 ing” and inserting “failed to
21 remedy a violation of Federal law
22 with respect”; and

23 (cc) by inserting “or crime
24 prevention and personal safety”

1 after “public transportation sys-
2 tem”; and

3 (II) in subparagraph (B)(ii), by
4 striking “a reasonable period of time”
5 and inserting “30 days”; and

6 (D) by adding at the end the following:

7 “(I) SET-ASIDE.—

8 “(1) IN GENERAL.—A recipient receiving assist-
9 ance under section 5307 shall allocate not less than
10 3 percent of those funds to system safety, crime pre-
11 vention, and personal safety-related projects eligible
12 under section 5321(a), including—

13 “(A) increased lighting in or adjacent to a
14 public transportation system, including bus
15 stops, subway stations, parking lots, and ga-
16 rages;

17 “(B) enhanced camera surveillance of an
18 area in or adjacent to a public transportation
19 system;

20 “(C) providing an emergency telephone line
21 to contact law enforcement or security per-
22 sonnel in an area in or adjacent to a public
23 transportation system;

24 “(D) inward and outward facing cameras
25 on vehicles;

1 “(E) event recorders;
2 “(F) operator compartment barriers;
3 “(G) de-escalation training activities;
4 “(H) personal protective equipment;
5 “(I) improvements to operations control
6 centers;
7 “(J) security personnel, additional transit
8 policing, and related activities; and
9 “(K) infrastructure to prevent fare eva-
10 sion.

11 “(2) EXCEPTION.—Notwithstanding paragraph
12 (1), the Secretary may establish a lower set-aside
13 percentage for recipients serving urbanized areas
14 with a population of less than 200,000.

15 “(3) REQUIRED ALLOCATION.—The Secretary
16 may require all or a portion of the set-aside under
17 paragraph (1) to be allocated to any system safety,
18 crime prevention, or personal safety-related purpose
19 the Secretary considers necessary to ensure the safe
20 operation of public transportation systems or the
21 personal safety of passengers or transit workers.

22 “(m) CERTIFICATION.—

23 “(1) IN GENERAL.—The Secretary may award
24 a grant using formula funds under this chapter only
25 if the recipient certifies that the recipient has made

1 progress toward meeting each of the performance
2 targets set under subparagraphs (I), (J), and (K) of
3 subsection (d)(1).

4 “(2) REPORT.—Each recipient subject to sub-
5 paragraphs (I), (J), and (K) of subsection (d)(1)
6 shall submit to the Secretary an annual report dem-
7 onstrating the progress of the recipient toward each
8 of the performance targets set under those subpara-
9 graphs.

10 “(3) PENALTIES.—If the Secretary determines
11 the recipient has not made progress toward meeting
12 one or more of the performance targets set under
13 subparagraphs (I), (J), and (K) of subsection (d)(1),
14 the Secretary may, after providing the recipient with
15 30 days to address the deficiency—

16 “(A) withhold not more than 100 percent
17 of apportioned formula funding under this
18 chapter;

19 “(B) unilaterally terminate, in part or its
20 entirety, any grant using formula funds under
21 this chapter;

22 “(C) lower the rating for any of the
23 projects for which the recipient seeking assist-
24 ance under a competitive grant program under
25 this chapter; or

1 “(D) require that any financial assistance
2 provided under section 5307 be spent on cor-
3 recting crime prevention or personal safety defi-
4 ciencies identified by the Secretary before such
5 funds are spent on other projects.

6 “(n) NATIONAL AVERAGE.—

7 “(1) IN GENERAL.—Notwithstanding the cer-
8 tification of a recipient in subsection (m), the Sec-
9 retary may withhold formula funds from a recipient
10 receiving assistance under section 5307 that is serv-
11 ing an urbanized area with a population of 200,000
12 or more with rates per capita of passengers for fare
13 evasion, assaults on passengers or transit workers
14 that do not involve harmful or offensive contact, as-
15 saults on transit workers or passengers that involve
16 harmful or offensive contact, and murder are not
17 less than 10 percent higher than the national aver-
18 age for all public transportation agencies based on
19 data reported to the national transit database under
20 section 5335.

21 “(2) 50 PERCENT WITHHOLDING.—From re-
22 cipients with rates per capita of passengers that ex-
23 ceed 50 percent above the national average for not
24 less than 1 of the categories of offenses described in
25 paragraph (1), the Secretary may withhold not more

1 than 50 percent of all formula funding under this
2 chapter.

3 “(3) 25 PERCENT WITHHOLDING.—From re-
4 cipients whose rates per capita of passengers that
5 are more than 25 percent but less than 50 percent
6 above the national average for not less than 1 of the
7 categories of offenses described in paragraph (1),
8 the Secretary may withhold not more than 25 per-
9 cent of all formula funding under this chapter.

10 “(o) INWARD AND OUTWARD FACING CAMERAS AND
11 EVENT RECORDERS.—Not later than 1 year after the date
12 of enactment of this Act, the Secretary shall prescribe reg-
13 ulations requiring rail or bus rolling stock vehicles pro-
14 cured with financial assistance made available under this
15 chapter after the effective date of the regulations to be
16 equipped with inward and outward facing cameras and
17 event recorders, including—

18 “(1) requirements regarding how video footage
19 of vehicle operators may be used; and

20 “(2) minimum parameters for maintaining data
21 from such cameras and event recorders.”; and

22 (b) in section 5335—

23 (1) in subsection (c)—

24 (A) in paragraph (2)—

1 (i) by inserting “or passengers of the
2 public transportation systems that involve
3 harmful or offensive contact” after “work-
4 ers”;

5 (ii) by striking “recipients” and in-
6 serting “recipient”; and

7 (iii) by striking “and” at the end;

8 (B) redesignating paragraph (3) as para-
9 graph (5); and

10 (C) inserting after paragraph (2) the fol-
11 lowing:

12 “(3) any data on assaults on transit workers or
13 passengers of the public transportation system of the
14 recipient that do not involve harmful or offensive
15 contact;

16 “(4) any data on fare evasion in the public
17 transportation systems of the recipient; and”;

18 (2) by adding at the end the following:

19 “(d) DATA COLLECTION.—

20 “(1) IN GENERAL.—Each recipient receiving as-
21 sistance under section 5307 that is serving an ur-
22 banized area with a population of 200,000 or more
23 shall develop an electronic application that allows
24 passengers of its public transportation systems to re-
25 port instances of assaults, including assaults that do

1 not involve harmful or offensive contact, and other
2 safety deficiencies.

3 “(2) STANDARDS.—Not later than 90 days
4 after the date of enactment of this subsection, the
5 Secretary shall set standards for the electronic appli-
6 cation to which recipients shall adhere under para-
7 graph (1).

8 “(3) REPORT.—All relevant data collected
9 through the electronic application developed under
10 paragraph (1) shall be reported to the national tran-
11 sit database consistent with subsection (c).”.

12 (c) REPORTS.—Section 1116 of title 49, United
13 States Code, is amended—

14 (1) in subsection (a)(2), by inserting “reduce
15 assaults and other criminal activity on transpor-
16 tation systems and” before “minimize”; and

17 (2) in subsection (b)(1), by inserting “assaults,
18 criminal activity, and” after “avoiding”.

19 (d) TECHNICAL AND CONFORMING AMENDMENT.—
20 The table of sections for chapter 53 of title 49, United
21 States Code, is amended by striking the item relating to
22 section 5321 and inserting the following:

“5321. Crime prevention and personal safety.”.

1 **SEC. 3. ESTABLISHING MINIMUM PERFORMANCE STAND-**
2 **ARDS FOR INFRASTRUCTURE TO PREVENT**
3 **FARE EVASION.**

4 (a) REQUIREMENTS.—Notwithstanding section
5 5334(k) of title 49, United States Code, and the rule-
6 making procedures under section 553 of title 5, United
7 States Code, not later than 90 days after the date of en-
8 actment of this Act, the Secretary shall establish minimum
9 performance standards for infrastructure to prevent fare
10 evasion under the national public transportation safety
11 plan, which shall not be revised except by law.

12 (b) CONSIDERATION.—In establishing the minimum
13 performance standards under subsection (a), the Secretary
14 shall consider—

15 (1) different fare collection needs of different
16 modes of public transportation;

17 (2) differences in operating environments;

18 (3) the use of technology in fare collection en-
19 forcement;

20 (4) existing experience, from agencies that al-
21 ready are using or testing infrastructure to prevent
22 fare evasion; and

23 (5) the impact of the performance standards on
24 future rolling stock procurements and vehicles cur-
25 rently in revenue service.

1 (c) CONDITION.—In the case of a recipient for an ur-
2 banized area with a population of not fewer than 200,000
3 individuals, as determined by the Bureau of the Census,
4 as a condition of financial assistance under any formula
5 program under chapter 53 of title 49 ,United States Code,
6 for fiscal year 2027, the recipient shall certify that the
7 recipient will acquire in the following fiscal year infra-
8 structure to prevent fare evasion meeting the minimum
9 performance standards established under the national
10 public transportation safety plan under subsection (a) for
11 all stations, terminals, and rolling stock within its public
12 transportation system.

13 (d) SAVINGS CLAUSE.—Nothing in this section may
14 be construed as prohibiting the Secretary of Transpor-
15 tation from issuing different comprehensive standards for
16 infrastructure to prevent fare evasion.

17 **SEC. 4. FAMILY FRIENDLY TRANSIT SCORECARD.**

18 (a) RAIL STATION OR BUS TERMINAL DEFINED.—
19 In this section, the term “rail station or bus terminal”
20 means—

21 (1) a station facility where a public transpor-
22 tation operator has physically posted, as of the date
23 of enactment of this Act, a system map, code of con-
24 duct, or arrivals and departures board; and

1 (2) a new station facility, or an improvement to
2 an existing facility, where a public transportation
3 operator posts a system map, code of conduct, or ar-
4 rivals and departures board.

5 (b) REQUIREMENTS.—The Secretary of Transpor-
6 tation shall establish a methodology to aggregate data sub-
7 mitted to Federal Transit Administration under section
8 5329(m)(2) of title 49, United States Code, related to the
9 performance targets set under subsection (d)(1)(K) of sec-
10 tion 5329 of such title, in the form of an annual Family
11 Friendly Transit Scorecard, which assigns a letter grade
12 for each public transportation system.

13 (c) CONDITION.—In the case of a recipient for an ur-
14 banized area with a population of not fewer than 200,000
15 individuals, as determined by the Bureau of the Census,
16 as a condition of financial assistance under any formula
17 program under chapter 53 of title 49, the recipient shall
18 certify that the recipient has prominently displayed at
19 each rail station and bus terminal within the recipient's
20 public transportation system and published on the recipi-
21 ent's website—

22 (1) the letter grade for the Family Friendly
23 Transit Scorecard; and

24 (2) the image of any person captured by secu-
25 rity camera in the act of committing any crime on

1 the public transportation system, including informa-
2 tion identifying the crime committed, not later than
3 7 days after the commission of the crime for a pe-
4 riod of not less than 45 days.

5 (d) WAIVER.—The Federal Transit Administration
6 may waive the requirement under subsection (c)(2) for any
7 rail station or bus terminal where the recipient certifies
8 that the recipient would be impracticable to display such
9 information.