STATE OF NEW YORK

6925

2023-2024 Regular Sessions

IN SENATE

May 15, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the railroad law, in relation to prohibiting freight trains in excess of eight thousand five hundred feet in length

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The railroad law is amended by adding a new section 52-f to read as follows:

§ 52-f. Freight train length. No freight train traveling on a track within the state shall exceed eight thousand five hundred feet in length. The commissioner is hereby empowered to promulgate rules and regulations to establish a waiver process to permit the operation of freight trains in excess of eight thousand five hundred feet for situations where the commissioner determines such waiver is in the public interest and upon an engineer's determination that a train exceeding eight thousand five hundred feet in length can operate safely on the planned route.

§ 2. This act shall take effect ninety days after it shall have become a law; provided, however, that this act shall be deemed repealed if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or regulation; and provided that the commissioner of transportation shall notify the legislative bill drafting commission upon any such determination in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD10350-04-3