

# STATE OF NEW YORK

10360

## IN ASSEMBLY

May 21, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. McMahon) --  
read once and referred to the Committee on Transportation

AN ACT to amend the railroad law, in relation to requiring railroad corporations to conduct a comprehensive safety inspection when a freight train is parked in a train yard prior to traveling on tracks within the state

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

1 Section 1. The railroad law is amended by adding a new section 72-a to  
2 read as follows:

3 § 72-a. Freight train inspections. 1. Every railroad corporation which  
4 operates any freight train within the state shall conduct a comprehen-  
5 sive safety inspection when a freight train is parked in a train yard  
6 prior to traveling on tracks within the state. Such safety inspection  
7 shall include, but not be limited to, a review of tracks, wheels, safety  
8 equipment, including brakes and bearings, and train cars. The depart-  
9 ment of transportation shall compare such safety inspection results with  
10 the inspection the railroad corporation conducted prior to originating  
11 the entire planned trip.

12 2. Every railroad corporation which operates any freight train within  
13 the state shall have a minimum of two safety inspectors on either side  
14 of a freight train as it leaves a rail yard to observe for safety  
15 issues.

16 3. The commissioner shall promulgate all rules and regulations neces-  
17 sary for the implementation of this section.

18 § 2. This act shall take effect on the thirtieth day after it shall  
19 have become a law; provided, further, that this act shall be deemed  
20 repealed if any federal agency determines in writing that this act would  
21 render New York state ineligible for the receipt of federal funds or any  
22 court of competent jurisdiction finally determines that this act would  
23 render New York state out of compliance with federal law or regulation;  
24 and provided, further, that the commissioner of transportation shall  
25 notify the legislative bill drafting commission upon the occurrence of  
26 such determination in order that the commission may maintain an accurate

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

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1 and timely effective data base of the official text of the laws of the  
2 state of New York in furtherance of effectuating the provisions of  
3 section 44 of the legislative law and section 70-b of the public offi-  
4 cers law. Effective immediately, the addition, amendment and/or repeal  
5 of any rule or regulation necessary for the implementation of this act  
6 on its effective date are authorized to be made and completed on or  
7 before such effective date.