STATE OF NEW YORK

6923

2023-2024 Regular Sessions

IN SENATE

May 15, 2023

Introduced by Sen. HINCHEY -- 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 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:

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

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

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

3. The commissioner shall promulgate all rules and regulations necessary for the implementation of this section.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law; provided, further, that this act shall be deemed repealed if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds or any court of competent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;

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

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and provided, further, that the commissioner of transportation shall notify the legislative bill drafting commission upon the occurrence of 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.