

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:

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

3 § 52-f. Freight train length. No freight train traveling on a track
4 within the state shall exceed eight thousand five hundred feet in
5 length. The commissioner is hereby empowered to promulgate rules and
6 regulations to establish a waiver process to permit the operation of
7 freight trains in excess of eight thousand five hundred feet for situ-
8 ations where the commissioner determines such waiver is in the public
9 interest and upon an engineer's determination that a train exceeding
10 eight thousand five hundred feet in length can operate safely on the
11 planned route.

12 § 2. This act shall take effect ninety days after it shall have
13 become a law; provided, however, that this act shall be deemed repealed
14 if any federal agency determines in writing that this act would render
15 New York state ineligible for the receipt of federal funds or any court
16 of competent jurisdiction finally determines that this act would render
17 New York state out of compliance with federal law or regulation; and
18 provided that the commissioner of transportation shall notify the legis-
19 lative bill drafting commission upon any such determination in order
20 that the commission may maintain an accurate and timely effective data
21 base of the official text of the laws of the state of New York in furth-
22 erance of effectuating the provisions of section 44 of the legislative
23 law and section 70-b of the public officers law. Effective immediately,
24 the addition, amendment and/or repeal of any rule or regulation neces-
25 sary for the implementation of this act on its effective date are
26 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.

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