

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 Assem-
bly, 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
6 parked in a train yard

7 prior to traveling on tracks within the state.
8 Such safety inspection

9 shall include, but not be limited to, a review of
10 tracks, wheels, safety

11 equipment, including brakes and bearings, and
12 train cars. The depart-

13 ment of transportation shall compare such safety
14 inspection results with

15 the inspection the railroad corporation conducted
16 prior to originating

17 the entire planned trip.

18 2. Every railroad corporation which operates any
19 freight train within

20 the state shall have a minimum of two safety
21 inspectors on either side

22 of a freight train as it leaves a rail yard
23 to observe for safety

24 issues.

25 3. The commissioner shall promulgate all rules
26 and regulations neces-

27 sary for the implementation of this section.

28 § 2. This act shall take effect on the
29 thirtieth day after it shall

30 have become a law; provided, further, that this
31 act shall be deemed

32 repealed if any federal agency determines in
33 writing that this act would

34 render New York state ineligible for the receipt of
35 federal funds or any

36 court of competent jurisdiction finally
37 determines that this act would

38 render New York state out of compliance with
39 federal law or regulation;

EXPLANATION--Matter in italics (underscored) is
new; matter in brackets

[~~-~~] is old law to be omitted.

1 and provided, further, that the commissioner of
transportation shall
2 notify the legislative bill drafting commission
upon the occurrence of
3 such determination in order that the commission may
maintain an accurate
4 and timely effective data base of the official
text of the laws of the
5 state of New York in furtherance of effectuating
the provisions of
6 section 44 of the legislative law and section 70-
b of the public offi-
7 cers law. Effective immediately, the addition,
amendment and/or repeal
8 of any rule or regulation necessary for the
implementation of this act
9 on its effective date are authorized to be made
and completed on or
10 before such effective date.