

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1127 Session of 2023

INTRODUCED BY SCHMITT, MARSHALL, KAUFFMAN, SHUSTERMAN, NEILSON  
AND KINKEAD, MAY 5, 2023

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND  
UTILITIES, MAY 5, 2023

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, in railroads, providing for train  
3 length; and imposing penalties.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 66 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 2710. Train length.

9 (a) General rule.--Except as provided in subsection (b), a  
10 railroad may not operate a freight train in this Commonwealth  
11 with a total length that exceeds 8,500 feet.

12 (b) Consistency with Federal law and regulations.--The  
13 commission may promulgate rules and regulations providing an  
14 exception to subsection (a), if the exception is required by  
15 Federal law or regulation and the commission's rule or  
16 regulation is consistent with the Federal law or regulation.

17 (c) Penalties.--A railroad that violates subsection (a)  
18 shall be assessed a civil penalty in the following amounts:

1           (1) A fine of not less than \$5,000 nor more than \$10,000  
2 for a first offense.

3           (2) A fine of not less than \$10,000 nor more than  
4 \$15,000 for a second offense committed within three years of  
5 the first offense.

6           (3) A fine of not less than \$15,000 nor more than  
7 \$20,000 for a third offense and subsequent offenses committed  
8 within three years of the first offense.

9           (d) Deposit of penalties.--Notwithstanding section 3315  
10 (relating to disposition of fines and penalties), a penalty  
11 collected under this section shall be deposited into the General  
12 Fund, deemed an augmentation to any appropriation to the  
13 commission and used to administer and enforce this chapter.

14           (e) Definitions.--As used in this section, the following  
15 words and phrases shall have the meanings given to them in this  
16 subsection unless the context clearly indicates otherwise:

17           "Freight locomotive." A railroad locomotive used exclusively  
18 for the conveyance of property, regardless of whether coupled  
19 with or without a rail car.

20           "Freight train." One or more freight locomotives coupled to  
21 rail cars.

22           Section 2. This act shall take effect in 60 days.