

STATE OF NEW YORK

9949

IN ASSEMBLY

April 26, 2024

Introduced by M. of A. EACHUS -- read once and referred to the Committee on Transportation

AN ACT in relation to establishing a freight rail safety task force; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. 1. There is hereby established the freight rail safety task

2 force. The purpose of such task force is to review the state of freight

3 rail safety in the state and make policy and budgetary recommendations

4 related thereto.

5 2. The freight rail safety task force shall consist of 11 members as

6 follows: the commissioner of transportation or their designee, two

7 members appointed by the temporary president of the senate, one member

8 appointed by the minority leader of the senate, two  
members appointed by

9 the speaker of the assembly, one member appointed  
by the minority leader

10 of the assembly, and four members appointed by the  
governor.

11 3. The commissioner of transportation shall  
be designated as the

12 chairperson of the freight rail safety task force.  
The members of the

13 freight rail safety task force shall serve without  
compensation, except

14 that members shall be allowed their necessary  
and actual expenses

15 incurred in the performance of their duties under  
this act.

16 4. The task force shall be authorized to  
hold public hearings and

17 meetings, and to consult with any organization,  
educational institution,

18 or other government entity or person, to enable it  
to accomplish its

19 duties. Such task force shall hold at least one  
public hearing in the

20 state for the purpose of soliciting public comment  
on freight rail safe-

21 ty.

22 5. To effectuate the purposes of this act, the  
task force may request

23 and shall receive from any department, division,  
board, bureau, commis-

24 sion, or other agency of the state or any state  
public authority such

25 assistance, information, and data as will enable  
the task force to prop-

26 erly carry out its powers and duties hereunder.

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

[-] is old law to be omitted.

1       6. The task force shall undertake a review of the  
actions and measures  
2       that are needed to ensure safe, adequate,  
efficient, and reliable  
3       freight rail transportation and make  
recommendations regarding:  
4       a. enhanced coordination between the federal,  
state, and local regula-  
5       tors and officials regarding freight rail  
regulations, including an  
6       examination into how the relevant state agencies  
can share necessary  
7       information related to freight rail trains and  
their operators includ-  
8       ing, but not limited to, inspection status,  
registration status, heat  
9       safety gauge and other real-time safety  
information, safety plans, and  
10      other metrics that can help prevent catastrophic  
incidents;  
11      b. the establishment and adoption of a uniform  
safety training program  
12      for department of transportation engineers and  
local regulators;  
13      c. a review of federal laws and rules as they  
relate to the regulation  
14      of freight rail operations and operators, including  
but not limited to,  
15      identification of the subject areas specifically  
regulated by federal  
16      laws and rules, whether and to what extent such  
federal laws and rules  
17      preempt state action with respect to the  
regulation of freight rail  
18      safety, and areas of freight rail safety regulation  
which are subject to  
19      oversight by the state; and  
20      d. the need for additional freight rail safety  
measures.  
21      7. The freight rail safety task force shall  
issue a report of its  
22      findings and recommendations to the governor, the  
temporary president of

23 the senate, and the speaker of the assembly no  
later than one year after

24 the effective date of this act.

25 § 2. This act shall take effect immediately  
and shall expire and be

26 deemed repealed two years after such date.