

A10360 Text:

STATE OF NEW YORK

10360

IN ASSEMBLY

May 21, 2024

Introduced by COMMITTEE ON RULES -- (at request of
M. of A. McMahon) --

read once and referred 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
4 railroad corporation which
5 operates any freight train within the state shall
6 conduct a comprehen-
7 sive safety inspection when a freight train is
8 parked in a train yard

6 prior to traveling on tracks within the state.
Such safety inspection
7 shall include, but not be limited to, a review of
tracks, wheels, safety
8 equipment, including brakes and bearings, and
train cars. The depart-
9 ment of transportation shall compare such safety
inspection results with
10 the inspection the railroad corporation conducted
prior to originating
11 the entire planned trip.
12 2. Every railroad corporation which operates any
freight train within
13 the state shall have a minimum of two safety
inspectors on either side
14 of a freight train as it leaves a rail yard
to observe for safety
15 issues.
16 3. The commissioner shall promulgate all rules
and regulations neces-
17 sary for the implementation of this section.

18 § 2. This act shall take effect on the
thirtieth day after it shall
19 have become a law; provided, further, that this
act shall be deemed
20 repealed if any federal agency determines in
writing that this act would
21 render New York state ineligible for the receipt of
federal funds or any
22 court of competent jurisdiction finally
determines that this act would
23 render New York state out of compliance with
federal law or regulation;
24 and provided, further, that the commissioner of
transportation shall
25 notify the legislative bill drafting commission
upon the occurrence of
26 such determination in order that the commission may
maintain an accurate

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

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

1 and timely effective data base of the official
text of the laws of the
2 state of New York in furtherance of effectuating
the provisions of
3 section 44 of the legislative law and section 70-
b of the public offi-
4 cers law. Effective immediately, the addition,
amendment and/or repeal
5 of any rule or regulation necessary for the
implementation of this act
6 on its effective date are authorized to be
made and completed on or
7 before such effective date.