
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1191 Session of
2025

INTRODUCED BY MATZIE, BURGOS, STEELE, DEASY, HILL-EVANS, MADDEN,
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HADDOCK, MALAGARI, RIVERA, DONAHUE, DAVIDSON, CIRESI, WARREN,
SCHLOSSBERG AND SCHMITT, APRIL 15, 2025

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, APRIL 15, 2025

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in railroads, providing for
3 prohibition on blocking of crossings, for limitation on
4 length of freight or work trains, for authorization to
5 monitor safety practices and operations by collective
6 bargaining representatives, for safe staffing levels for
7 trains or light engines, for wayside detector systems, for
8 study of transportation of hazardous materials or waste and
9 for reporting system for transportation of hazardous
10 materials or waste; and imposing penalties.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Title 66 of the Pennsylvania Consolidated
14 Statutes is amended by adding sections to read:

15 § 2710. Prohibition on blocking of crossings.

16 A railroad owner or operator may not allow for the blocking
17 of a railroad/highway grade crossing that results in the delay
18 of an emergency vehicle from assisting a person or property in
19 distress for more than five minutes. The commission shall assess
20 a civil penalty of \$10,000 for each violation of this section.

1 § 2711. Limitation on length of freight or work trains.

2 A railroad operating on a main track or branch line in this
3 Commonwealth may not run, or permit to be run, a freight or work
4 train which exceeds 8,500 feet in length on any part of the main
5 track or branch line.

6 § 2712. Authorization to monitor safety practices and
7 operations by collective bargaining representatives.

8 The collective bargaining representative for each craft of
9 railroad employee and the State director or representative for
10 each craft of railroad employee shall be permitted to monitor
11 the safety practices and operations of a railroad operating in
12 this Commonwealth. The collective bargaining representative or
13 State director or representative may accompany the commission
14 during an investigation or inspection of a railroad safety
15 matter. In monitoring the safety practices and operations of a
16 railroad under this section, the collective bargaining
17 representative or State director or representative may take
18 photographs and conduct an investigation on railroad property as
19 may be necessary for the purpose of ensuring compliance with
20 Federal or State laws and regulations, as well as take
21 photographs and conduct an investigation of a safety hazard that
22 may result in injury or death to a railroad employee. Any
23 information, data, evidence or photographs collected by the
24 monitoring of the safety practices and operations of a railroad
25 under this section may not be disseminated except in furtherance
26 of an official investigation related to a potential violation of
27 Federal or State laws and regulations. A railroad may not assert
28 that the collective bargaining representative or State director
29 or representative is trespassing on railroad property during an
30 investigation authorized under this section.

1 § 2713. Safe staffing levels for trains or light engines.

2 (a) Staffing levels.--A train or light engine used in
3 connection with the movement of freight in this Commonwealth
4 shall have a crew that consists of at least two individuals. A
5 superintendent, trainmaster or other employee of a railroad may
6 not order or otherwise require a train or light engine used in
7 connection with the movement of freight to be operated unless
8 the train or light engine has a crew that consists of at least
9 two individuals.

10 (b) Construction.--Subsection (a) shall not apply to a Class
11 II or III railroad as defined by the United States Surface
12 Transportation Board on the effective date of this subsection
13 and shall be construed to relate only to safety, including
14 ensuring that no train or light engine used in connection with
15 the movement of freight is left without a functional crew member
16 as a result of a medical emergency.

17 (c) Penalties.--The commission may assess a civil penalty
18 against a person who willfully violates subsection (a) in
19 accordance with the following:

20 (1) If, within three years of the violation, the
21 commission has not previously assessed a civil penalty
22 against the person under this subsection, the commission may
23 impose a civil penalty of not less than \$1,000, but not more
24 than \$5,000.

25 (2) If, within three years of the violation, the
26 commission has previously assessed one civil penalty against
27 the person under this subsection, the commission may impose a
28 civil penalty of not less than \$5,000, but not more than
29 \$10,000.

30 (3) If, within three years of the violation, the

1 commission has previously assessed two or more civil
2 penalties against the person under this subsection, the
3 commission may impose a civil penalty of not less than
4 \$10,000, but not more than \$25,000.

5 (d) Enforcement.--The Attorney General, upon the request of
6 the commission, shall bring a civil action to collect the
7 penalties specified under subsection (c). The State Treasurer
8 shall deposit all of the money collected from the civil
9 penalties imposed under this section into the General Fund.

10 (e) Definitions.--As used in this section, the term "train
11 or light engine used in connection with the movement of freight"
12 does not include hostler service or utility employees.

13 § 2714. Wayside detector systems.

14 (a) System requirements.--The commission, in consultation
15 with the department, shall work with a railroad operating in
16 this Commonwealth to certify that wayside detector systems are
17 located and functional on tracks where the railroad operates
18 that are classified as Class IV or greater by the Federal
19 Railroad Administration on the effective date of this
20 subsection. The railroad shall ensure that the following
21 requirements are met:

22 (1) The wayside detector systems shall be properly
23 installed, maintained, repaired and operational in accordance
24 with the guidelines issued by the United States Department of
25 Transportation and the Federal Railroad Administration.

26 (2) Any expired, nonworking or outdated wayside detector
27 system or its component parts shall be removed and replaced
28 with new parts or an entirely new wayside detector system.

29 (3) The distance between wayside detector systems shall
30 be appropriate, when accounting for the natural terrain

1 surrounding a track where the railroad operates and the
2 safety of the trains, rolling stock, on-track equipment,
3 their operators, their passengers and the persons and
4 property in the vicinity of the track, to provide an operator
5 of a train with sufficient time to do any of the following if
6 a defect is detected:

7 (i) Respond to an alert projected by a wayside
8 detector system.

9 (ii) Stop the train, rolling stock or on-track
10 equipment, if necessary.

11 (iii) Make necessary repairs or, if a repair is
12 impossible at the location, remove the component parts or
13 equipment that is defective.

14 (4) The railroad shall have defined, written standards
15 and training for railroad employees pertaining to wayside
16 detector system defect alerts, the course of action that
17 railroad employees are required to take to respond to the
18 alerts and appropriate monitoring and responses by the
19 railroad if railroad employees fail to take the required
20 course of action.

21 (b) Refusal to cooperate.--If a railroad refuses to work or
22 otherwise cooperate with the commission in good faith under
23 subsection (a), the commission shall investigate the railroad's
24 safety practices and standards in accordance with 49 CFR Pt. 212
25 (relating to State safety participation regulations). The
26 commission shall determine whether the railroad appears to be in
27 compliance with Federal railroad safety laws as defined in 49
28 CFR 209.3 (relating to definitions).

29 (c) Noncompliance.--If a railroad does not appear to be in
30 compliance with Federal railroad safety laws based on an

1 investigation conducted under subsection (b), no later than 60
2 days after the conclusion of the investigation, the commission
3 shall make a report to the Federal Railroad Administration. The
4 report shall detail the results of the investigation and
5 recommend that the Federal Railroad Administration take
6 enforcement action within the Federal Railroad Administration's
7 authority against the railroad for the safety violations
8 discovered through the investigation. The commission shall send
9 a copy of the report to the following:

10 (1) The Governor.

11 (2) The President pro tempore of the Senate.

12 (3) The Minority Leader of the Senate.

13 (4) The Speaker of the House of Representatives.

14 (5) The Minority Leader of the House of Representatives.

15 (d) Notice of defects.--When a wayside detector system
16 detects a defect in a passing train, rolling stock, on-track
17 equipment or its component equipment and parts, if the message
18 regarding the defect is not immediately sent to the operator of
19 the train, rolling stock or on-track equipment, the person who
20 receives the message shall immediately notify the operator of
21 the train, rolling stock or on-track equipment of the defect.
22 The commission shall ensure that the manner in which a wayside
23 detector system message is sent and received complies with this
24 subsection.

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

28 "Defect." Any of the following:

29 (1) A hot wheel bearing.

30 (2) A hot wheel.

1 (3) A defective bearing that is detected through
2 acoustics.

3 (4) Dragging equipment.

4 (5) Excessive height or weight.

5 (6) A shifted load.

6 (7) A low hose.

7 (8) A rail temperature defect.

8 (9) A wheel condition defect.

9 "Department." The Department of Transportation of the
10 Commonwealth.

11 "Wayside detector system." An electronic device or a series
12 of connected devices that scan passing trains, rolling stock,
13 on-track equipment and their component equipment and parts for
14 defects.

15 § 2715. Study of transportation of hazardous materials or
16 waste.

17 (a) Examination of Federal and State laws.--The commission,
18 in consultation with the department, shall examine current
19 Federal and State laws regarding the following:

20 (1) The regulations and protocols pertaining to the
21 transportation of hazardous materials and hazardous waste by
22 railroads.

23 (2) The requirements pertaining to when, how and to whom
24 the transportation of hazardous materials and hazardous waste
25 by railroads shall be disclosed.

26 (b) Report.--The commission, in consultation with the
27 department, shall compile the information examined under
28 subsection (a) into a report. The report shall include
29 recommendations regarding the following:

30 (1) Methods to strengthen the Commonwealth's safety

1 requirements for the transportation of hazardous materials
2 and hazardous waste by railroads.

3 (2) Appropriate enhancements to current civil and
4 criminal penalties relating to the transportation of
5 hazardous materials and hazardous waste by railroads,
6 including penalties for the following:

7 (i) The mishandling of hazardous materials and
8 hazardous waste.

9 (ii) Failing to disclose or failing to meet all
10 disclosure requirements relating to the transportation of
11 hazardous materials and hazardous waste.

12 (c) Submission.--No later than 90 days after the effective
13 date of this subsection, the commission, in consultation with
14 the department, shall submit the report required under
15 subsection (b) to all of the following:

16 (1) The President pro tempore of the Senate.

17 (2) The Minority Leader of the Senate.

18 (3) The Speaker of the House of Representatives.

19 (4) The Minority Leader of the House of Representatives.

20 (d) Definitions.--As used in this section, the following
21 words and phrases shall have the meanings given to them in this
22 subsection unless the context clearly indicates otherwise:

23 "Department." The Department of Transportation of the
24 Commonwealth.

25 § 2716. Reporting system for transportation of hazardous
26 materials or waste.

27 The commission shall promulgate regulations to create a
28 reporting system for the transportation of hazardous materials
29 and waste by railroads within this Commonwealth. The information
30 contained in the reporting system shall not be made public or

1 otherwise be accessible under the act of February 14, 2008
2 (P.L.6, No.3), known as the Right-to-Know Law, but the
3 commission shall make the information available via a secure
4 online database accessible only to the Federal Emergency
5 Management Agency, the Pennsylvania Emergency Management Agency
6 and county emergency management agencies.

7 Section 2. This act shall take effect in 180 days.