

AMENDED IN SENATE APRIL 29, 2025

AMENDED IN SENATE APRIL 8, 2025

AMENDED IN SENATE MARCH 24, 2025

**SENATE BILL**

**No. 667**

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**Introduced by Senator Archuleta**

February 20, 2025

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An act to add Sections 7615, 7664, and 7664.5 to the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 667, as amended, Archuleta. Railroads: safety: wayside detectors: train length: emergency vehicle crossing.

The existing Federal Railroad Safety Act (FRSA) authorizes the United States Secretary of Transportation to prescribe regulations and issue orders for railroad safety and requires the United States Secretary of Homeland Security, when prescribing a security regulation or issuing a security order that affects the safety of railroad operations, to consult with the United States Secretary of Transportation. The FRSA provides for state participation in the enforcement of the safety regulations and orders issued by the United States Secretary of Transportation or the United States Secretary of Homeland Security, pursuant to an annual certification, and authorizes the respective secretaries to make an agreement with a state to provide investigative and surveillance activities. The FRSA provides that, to the extent practicable, laws, regulations, and orders related to railroad safety and security are required to be nationally uniform, but authorizes a state to adopt or continue in force a law, regulation, or order related to railroad safety or security until the United States Secretary of Transportation, with respect to

railroad safety matters, or the United States Secretary of Homeland Security, with respect to railroad security matters, prescribes a regulation or issues an order covering the subject matter of the state requirement. A state is additionally authorized to adopt or continue in force an additional or more stringent law, regulation, or order related to railroad safety or security, when necessary to eliminate or reduce an essentially local safety or security hazard, that is not incompatible with a federal law, regulation, or order, and that does not unreasonably burden interstate commerce.

This bill would require a railroad corporation to install and operate a network of wayside detector systems on or adjacent to any track used by a freight train with maximum spacing specified for individual detection devices along a continuous track. The bill would define “wayside detector system” to mean an electronic device or series of connected devices that scans passing freight ~~trains, rolling stock, on-track equipment,~~ *trains* and their component equipment and parts for defects. ~~The bill would require a wayside detector system to issue certain messages if a defect is detected or is not detected, and would specify actions to be taken if a message indicating a defect is detected. The bill would require a railroad corporation to ensure that its employees know and understand these requirements. The bill would require the commission to enforce these requirements and would impose a penalty of not less than \$25,000 upon a railroad corporation for each violation. The bill would require the Public Utilities Commission to (1) establish a process for freight train crews to receive alerts from wayside detectors, (2) create standards for freight train inspections to be conducted following the receipt of an alert from a wayside detector, as provided, and (3) adopt rules necessary to implement these provisions.~~

This bill would prohibit certain freight trains with a total length exceeding 7,500 feet from operating on any part of a main line or branch line in this state, as specified. The bill would require a freight ~~train, rolling stock, or other on-track equipment~~ *train* that is completely stopped and that is blocking an at-grade railroad crossing to be cut, separated, or moved to clear the at-grade railroad crossing upon the approach of an emergency vehicle, except as specified. ~~The bill would require the commission to enforce these provisions and would impose penalties of not less than \$5,000 for a first violation, \$10,000 for a 2nd violation, and \$25,000 for a 3rd or subsequent violation, as specified. The bill would require the commission to adopt rules necessary to implement these provisions, including, but not limited to, establishing~~

*financial penalties, subject to specified minimums, for railroad corporations that are in violation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares both of the  
2 following:

3 (a) Freight trains exhibiting excessive length operating within  
4 the state on any main line or branch line expose the public to  
5 unnecessary dangers and disruptions of commerce.

6 (b) Section 3 of this bill is intended to eliminate disruptions of  
7 commerce and dangers imposed upon communities and the general  
8 citizenry.

9 SEC. 2. Section 7615 is added to the Public Utilities Code, to  
10 read:

11 7615. (a) For purposes of this section, all of the following  
12 definitions apply:

13 (1) "AAR frequency" means the Association of American  
14 Railroads frequency assigned to the location of the wayside  
15 detector system that is sending a message.

16 (2) "Wayside detector communications system" means  
17 technology that uses wireless communications systems or  
18 algorithms to allow communication between one wayside detector  
19 system with another wayside detector system to better predict and  
20 detect defects.

21 (3) "Wayside detector system" means an electronic device or a  
22 series of connected devices that scan passing freight ~~trains, rolling~~  
23 ~~stock, on-track equipment, trains~~ and their component equipment  
24 and parts for defects, which include, but are not limited to, hot  
25 wheel bearings, hot wheels, defective bearings that are detected  
26 through acoustics, dragging equipment, excessive height or weight,  
27 shifted loads, low hoses, excessive rail temperature, and poor wheel  
28 condition.

29 (b) (1) Except as provided in paragraph (2), a railroad  
30 corporation shall install and operate a network of wayside detector  
31 systems on or adjacent to any track used by a freight train with  
32 each wayside detector system no farther than 10 miles from another  
33 wayside detector system on a continuous track.

1 (2) If the natural terrain renders it infeasible to install or operate  
2 a wayside detector system no farther than 10 miles from another  
3 wayside detector system on a continuous track, then a railroad  
4 corporation shall install and operate a wayside detector system as  
5 close as feasible to another wayside detector system on any  
6 continuous track used by a freight train, but no farther than 15  
7 miles from another wayside detector system on a continuous track.

8 (c) If a freight train, rolling stock, or on-track equipment train  
9 is operating on a track between wayside detector systems that do  
10 not comply with the spacing requirements of subdivision (b), then  
11 it shall not travel faster than 10 miles per hour and may only travel  
12 faster than 10 miles per hour after it passes a wayside detector  
13 system that is in compliance with the spacing requirements of  
14 subdivision (b) and has received a message from the wayside  
15 detector system indicating that there are no defects.

16 (d) ~~A wayside detector system shall provide an audible message  
17 on the AAR frequency and be equipped with a hot box detector,  
18 a hot wheel detector, and a dragging equipment detector.~~

19 (e) ~~If either a wayside detector system or a wayside detector  
20 communications system identifies a defect, an audible message  
21 shall sound over the AAR frequency at least three times, with each  
22 message lasting at least five seconds with at least five seconds of  
23 silence between each message. The audible message shall include  
24 all of the following information:~~

25 (1) ~~The system location milepost and name.~~

26 (2) ~~The track number, if applicable.~~

27 (3) ~~The total number of axles on the freight train, rolling stock,  
28 or on-track equipment, including motive power.~~

29 (4) ~~The location of the defect within the freight train, rolling  
30 stock, or on-track equipment, or its component parts or equipment.~~

31 (f) ~~If a wayside detector system identifies no defect, an audible  
32 message shall sound over the AAR frequency indicating the speed  
33 of the freight train, rolling stock, or on-track equipment, and that  
34 no defect was identified.~~

35 (g) ~~The operator of a freight train, rolling stock, or on-track  
36 equipment that receives a message indicating a defect shall do all  
37 of the following:~~

38 (1) ~~Stop the freight train, rolling stock, or on-track equipment  
39 in accordance with applicable safety procedures.~~

40 (2) ~~Inspect the location of the identified defect.~~

1 ~~(3) Note the results of the inspection and provide the results to~~  
2 ~~the appropriate officer of the railroad corporation, local dispatcher,~~  
3 ~~or other qualified person based on the applicable railroad policy.~~

4 ~~(4) If the operator believes continued operation is safe based~~  
5 ~~on the results of the inspection, the operator shall proceed to~~  
6 ~~operate the freight train, rolling stock, or on-track equipment at a~~  
7 ~~speed no faster than 10 miles per hour if carrying hazardous~~  
8 ~~materials or at a speed no faster than 30 miles per hour if not~~  
9 ~~carrying hazardous materials. The operator may exceed these~~  
10 ~~speeds after passing a wayside detector system and receiving a~~  
11 ~~message indicating no defect.~~

12 ~~(5) If the operator believes continued operation is unsafe based~~  
13 ~~on the results of the inspection, the operator shall have the freight~~  
14 ~~train, rolling stock, or on-track equipment fully inspected by a~~  
15 ~~qualified mechanical inspector to determine if it is safe to proceed.~~  
16 ~~The freight train, rolling stock, or on-track equipment shall not~~  
17 ~~proceed until after a qualified mechanical inspector makes a~~  
18 ~~thorough inspection, makes any necessary repairs, and declares it~~  
19 ~~safe to proceed.~~

20 ~~(h) If there is a determination that it is safe to proceed after~~  
21 ~~receiving a message indicating a defect, and then the operator of~~  
22 ~~a freight train, rolling stock, or on-track equipment receives another~~  
23 ~~message indicating the same defect, the operator shall do all of the~~  
24 ~~following:~~

25 ~~(1) Stop the freight train, rolling stock, or on-track equipment~~  
26 ~~in accordance with applicable safety procedures.~~

27 ~~(2) Have the freight train, rolling stock, or on-track equipment~~  
28 ~~fully inspected by a qualified mechanical inspector to determine~~  
29 ~~if it is safe to proceed. The freight train, rolling stock, or on-track~~  
30 ~~equipment shall not proceed until after a qualified mechanical~~  
31 ~~inspector makes a thorough inspection, makes any necessary~~  
32 ~~repairs, and declares it safe to proceed.~~

33 ~~(i) All inspections required by this section shall be performed~~  
34 ~~from a position on the ground and shall not be made from, on, or~~  
35 ~~within any vehicle.~~

36 ~~(j) (1) If a wayside detector system reports a number of axles~~  
37 ~~for a freight train that is less than the reported number of axles for~~  
38 ~~the train, then the operator shall report the discrepancy to the proper~~  
39 ~~railroad authority.~~

1     ~~(2) If a wayside detector system reports a number of axles for~~  
2 ~~the freight train that is greater than the reported number of axles~~  
3 ~~for the freight train, then the operator shall report the discrepancy~~  
4 ~~to the proper railroad authority. If the discrepancy is not resolved~~  
5 ~~before the freight train travels five miles, then the operator shall~~  
6 ~~stop the freight train in accordance with applicable safety~~  
7 ~~procedures and shall not proceed until the discrepancy is resolved,~~  
8 ~~all extra equipment or cars are identified, and any necessary~~  
9 ~~documentation is issued.~~

10     ~~(k) A railroad corporation doing business in this state shall~~  
11 ~~ensure that its employees know and understand the requirements~~  
12 ~~of this section.~~

13     ~~(l) A railroad corporation shall partner with the commission to~~  
14 ~~determine what temperature readings above ambient temperature~~  
15 ~~of an identified defective car constitute a defect.~~

16     ~~(m) (1) The commission shall enforce this section.~~

17     ~~(2) A railroad corporation in violation of this section shall be~~  
18 ~~liable for a penalty of not less than twenty-five thousand dollars~~  
19 ~~(\$25,000) for each violation of this section.~~

20     ~~(d) As part of a new or existing proceeding, the commission~~  
21 ~~shall do all of the following:~~

22         ~~(1) Establish a process for freight train crews to receive alerts~~  
23 ~~from wayside detectors.~~

24         ~~(2) Create standards for freight train inspections to be~~  
25 ~~conducted following the receipt of an alert from a wayside detector,~~  
26 ~~including the obligation of a railroad corporation to ensure that~~  
27 ~~railroad employees are aware of these standards.~~

28         ~~(3) Adopt rules necessary to implement this section, including~~  
29 ~~establishing a penalty of not less than twenty-five thousand dollars~~  
30 ~~(\$25,000) for each violation of this section by a railroad~~  
31 ~~corporation.~~

32     SEC. 3. Section 7664 is added to the Public Utilities Code, to  
33 read:

34     7664. (a) For purposes of this section, the following definitions  
35 apply:

36         (1) “Branch line” means a segment or route of railroad tracks  
37 that branches off from a main line.

38         (2) “Main line” means a segment or route of railroad tracks of  
39 a Class I railroad, as documented in current timetables filed by the  
40 Class I railroad with the Federal Railroad Administration under

1 Part 217.7 of Title 49 of the Code of Federal Regulations, over  
2 which 5,000,000 or more gross tons of railroad traffic is transported  
3 annually, or used for regularly scheduled intercity or commuter  
4 rail passenger service, or both. For purposes of this section, tourist,  
5 scenic, historic, or excursion operations are not intercity or  
6 commuter passenger service.

7 (3) "Railroad" means any form of nonhighway ground  
8 transportation that runs on rails and is used in connection with the  
9 movement of freight.

10 (4) "Freight train" means one or more locomotives without cars  
11 or with one or more freight cars, except during switching operations  
12 or where the operation is that of classifying and assembling rail  
13 cars within a railroad yard for the purpose of making or breaking  
14 up trains.

15 (5) "Train length" means the total length of a train as measured  
16 in linear feet.

17 (b) (1) A freight train originating in this state with a train length  
18 exceeding 7,500 feet shall not operate on any part of a main line  
19 or branch line in this state.

20 (2) If a freight train originating from outside this state with a  
21 train length exceeding 7,500 feet operates in this state and stops  
22 to add or remove cars before its final destination, then it shall  
23 reduce its train length to not exceed 7,500 feet while it is stopped  
24 to add or remove cars before its final destination.

25 ~~(e) (1) The commission shall enforce subdivision (b).~~

26 ~~(2) A railroad corporation in violation of subdivision (b) shall~~  
27 ~~be liable as follows:~~

28 *(c) As part of a new or existing proceeding, the commission*  
29 *shall adopt rules necessary to implement this section, including,*  
30 *but not limited to, the establishment of the following penalties for*  
31 *railroad corporations that violate this section:*

32 ~~(A)~~

33 ~~(1) A penalty of not less than five thousand dollars (\$5,000) for~~  
34 ~~the first violation.~~

35 ~~(B)~~

36 ~~(2) A penalty of not less than ten thousand dollars (\$10,000)~~  
37 ~~for a second violation within three years of a prior violation.~~

38 ~~(C)~~

1 (3) A penalty of not less than twenty-five thousand dollars  
2 (\$25,000) for a third or subsequent violation within three years of  
3 two prior violations.

4 SEC. 4. Section 7664.5 is added to the Public Utilities Code,  
5 to read:

6 7664.5. (a) For purposes of this section, the following  
7 definitions apply:

8 (1) "At-grade railroad crossing" means a location where a public  
9 highway, road, street, or private roadway, including associated  
10 sidewalks and pathways, crosses one or more railroad tracks at the  
11 same level.

12 (2) "Authorized emergency vehicle" has the same meaning as  
13 in Section 165 of the Vehicle Code.

14 (b) (1) Except as provided in paragraph (2), a freight ~~train,~~  
15 ~~rolling stock, or other on-track equipment~~ *train* that is completely  
16 stopped and that is blocking an at-grade railroad crossing shall be  
17 cut, separated, or moved to clear the at-grade railroad crossing  
18 upon the approach of an authorized emergency vehicle.

19 (2) Paragraph (1) does not apply to a freight ~~train, rolling stock,~~  
20 ~~or other on-track equipment~~ *train* that is stopped due to a  
21 mechanical failure and where separation or movement is not  
22 possible.

23 ~~(e) (1) The commission shall enforce subdivision (b).~~

24 ~~(2) A railroad corporation in violation of subdivision (b) shall~~  
25 ~~be liable as follows:~~

26 *(c) As part of a new or existing proceeding, the commission*  
27 *shall adopt rules necessary to implement this section, including,*  
28 *but not limited to, the establishment of the following penalties for*  
29 *railroad corporations that violate this section:*

30 ~~(A)~~

31 *(1) A penalty of not less than five thousand dollars (\$5,000) for*  
32 *the first violation.*

33 ~~(B)~~

34 *(2) A penalty of not less than ten thousand dollars (\$10,000)*  
35 *for a second violation within three years of a prior violation.*

36 ~~(C)~~



1 (3) A penalty of not less than twenty-five thousand dollars  
2 (\$25,000) for a third or subsequent violation within three years of  
3 two prior violations.

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