



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3836

Introduced 2/6/2026, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

New Act

625 ILCS 5/11-1201

from Ch. 95 1/2, par. 11-1201

625 ILCS 5/18c-7402

from Ch. 95 1/2, par. 18c-7402

Creates the Illinois Railway Safety Act of 2026. Requires a locomotive engineer to be present in the locomotive cab of every train operating on a line and to be capable of taking control of the operation of the train in the event of a safety issue occurring. Requires a locomotive engineer to take full control of the train when a safety issue occurs in order to mitigate the safety issue and any safety risks. Requires the Illinois Commerce Commission to work with each railroad company to ensure that wayside detector systems are installed and operating along railroad tracks on which the railroad operates and to ensure that specified standards are met. Sets forth investigation and reporting requirements for the Commission and the Department of Transportation if a railroad company refuses to work or otherwise cooperate with the Commission. Sets forth wayside detector system installation distance requirements, waivers, and exemptions. Provides that when a wayside detector system detects a defect, if the message regarding the defect is not immediately sent to the operator, the person that receives the message shall immediately notify the operator of the defect. Requires visual inspections not less than twice a week for all main track designated within the State for operation at class III carrier speeds or higher. Allows the Commission to enforce the Act, which may include civil penalties for a violation of the Act. Amends the Illinois Vehicle Code. Provides that if a driver is involved in a collision at a grade crossing resulting in the injury or fatality of a railway worker, that driver shall have the driver's driving privileges suspended for a period of not less than 6 months up to revocation. Prohibits a railroad from operating on any main line or any other line any train which exceeds 8,500 feet in length.

LRB104 17501 LNS 30928 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Illinois Railway Safety Act of 2026.

6 Section 5. Findings. The General Assembly finds that:

7 (1) Rail transportation presents unique safety risks
8 to the public, rail employees, and communities.

9 (2) The presence of a qualified locomotive engineer is
10 essential for the safe operation of trains during
11 safety-related events.

12 (3) This Act is intended to protect public safety
13 while remaining consistent with applicable federal law.

14 Section 10. Definitions. As used in this Act:

15 "Class I carrier", "class II carrier", and "class III
16 carrier" have the meanings given to those terms in 49 CFR
17 1201(1-1).

18 "Commission" means the Illinois Commerce Commission.

19 "Defects" include hot wheel bearings, hot wheels,
20 defective bearings that are detected through acoustics,
21 dragging equipment, excessive height or weight, shifted loads,
22 low hoses, rail temperature, and wheel condition.

1 "Department" means the Department of Transportation.

2 "Intercity or commuter passenger service" does not include
3 tourist, scenic, historic, or excursion operations.

4 "Line" means a line of railroad.

5 "Locomotive cab" means the compartment or space on board a
6 locomotive where the control stand is located and which is
7 normally occupied by the engineer when the locomotive is
8 operated.

9 "Locomotive engineer" means an individual proficient on
10 the territory the individual operates and certified pursuant
11 to applicable federal regulations, including 49 CFR 240, to
12 operate a locomotive.

13 "Main line" means any railroad, as documented in current
14 timetables filed by any railroad with the Federal Railroad
15 Administration under 49 CFR 217.7, over which 5,000,000 or
16 more gross tons of railroad traffic is transported annually or
17 used for regularly scheduled intercity or commuter rail
18 passenger service, or both.

19 "Main track" means a track, other than an auxiliary track,
20 extending through yards or between stations, upon which trains
21 are operated by timetable or train order or both, or the use of
22 which is governed by a signal system.

23 "Railroad" means any form of nonhighway ground
24 transportation that runs on rails or electromagnetic
25 guideways, including intercity passenger rail and commuter
26 passenger service in a metropolitan or suburban area, and

1 high-speed ground transportation systems that connect
2 metropolitan areas, without regard to whether those systems
3 use new technologies not associated with traditional
4 railroads. "Railroad" does not include rapid transit
5 operations in an urban area that are not connected to the
6 general railroad system of transportation.

7 "Safety issue" means any condition, event, malfunction, or
8 circumstance that poses an actual or imminent risk to the safe
9 operation of a train, including, but not limited to,
10 mechanical failure, signal system irregularities, track
11 defects, emergency conditions, and operational anomalies.

12 "Train" means one or more locomotives coupled with or
13 without cars, requiring an air brake test in accordance with
14 49 CFR 232 or 238, except during switching operations or where
15 the operation is that of classifying and assembling rail cars
16 within a railroad yard for the purpose of making or breaking up
17 trains. "Train" also means a single locomotive, multiple
18 locomotives coupled together, or one or more locomotives
19 coupled with one or more cars. "Train" does not include yard
20 movements.

21 "Wayside detector system" means an electronic device or a
22 series of connected devices that scan passing trains, rolling
23 stock, on-track equipment, and their component equipment and
24 parts for defects.

25 "Yard" means a system of railroad tracks, not including
26 main tracks and sidings, used for classifying cars, making-up

1 and inspecting trains, or storing cars and equipment.

2 Section 15. Requirement for locomotive engineer during
3 safety issues.

4 (a) A locomotive engineer shall be present in the
5 locomotive cab of every train operating on a line within the
6 State and shall be capable of taking control of the operation
7 of the train in the event of a safety issue occurring. This
8 requirement does not apply to yards.

9 (b) The locomotive engineer required under this Section
10 shall:

11 (1) hold a valid and current locomotive engineer
12 certification as required by federal regulations;

13 (2) be proficient in the operation of trains, as
14 demonstrated by operational experience consistent with
15 federal certification and qualification standards; and

16 (3) undergo regular training to develop the skills
17 necessary to demonstrate that the locomotive engineer
18 meets the requirements of this Section, including the
19 requirement to be able to operate a train manually when a
20 safety issue arises.

21 (c) A locomotive engineer shall take full control of the
22 train, including operating the train fully manual as necessary
23 in the judgment of the locomotive engineer, when a safety
24 issue occurs in order to mitigate the safety issue and any
25 safety risks.

1 (d) A train experiencing a safety issue shall not be
2 operated without a locomotive engineer as required under this
3 Act until the safety issue is resolved or the train is
4 otherwise secured in accordance with applicable safety rules.

5 (e) No railroad shall penalize or discipline a locomotive
6 engineer who takes appropriate action under subsections (c)
7 and (d) when a safety issue arises.

8 Section 20. Wayside detector systems.

9 (a) The Commission shall work with each railroad company
10 that does business in this State to ensure that wayside
11 detector systems are installed and are operating along
12 railroad tracks on which the railroad operates and to ensure
13 that the wayside detector systems meet all of following
14 standards:

15 (1) The wayside detector system is properly installed,
16 maintained, repaired, and operational and the latest
17 guidelines issued by the United States Department of
18 Transportation, the Federal Railroad Administration, and
19 the Association of American Railroads.

20 (2) Any expired, nonworking, or outdated wayside
21 detector system or component part of a wayside detector
22 system is removed and replaced with new parts or an
23 entirely new system that reflects the current best
24 practices and standards of the industry.

25 (3) The distance between wayside detector systems is

1 appropriate, the natural terrain surrounding the railroad
2 track on which the railroad operates, and the safety of
3 the trains, rolling stock, on-track equipment, its
4 operators, its passengers, and the persons and property in
5 the vicinity of the railroad track so that if defects are
6 detected operators have sufficient time to do the
7 following:

8 (A) respond to the alerts projected by the wayside
9 detector system;

10 (B) stop the train, rolling stock, or on-track
11 equipment, if necessary; or

12 (C) make all necessary repairs or, if repair is
13 impossible at the location, to remove the component parts
14 or equipment that is defective.

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

21 (b) If a railroad company refuses to work or otherwise
22 cooperate with the Commission in good faith in accordance with
23 this Section, the Commission and the Department shall
24 investigate that railroad company's safety practices and
25 standards in accordance with 49 CFR 212. The Commission shall
26 determine whether the company appears to be in compliance with

1 federal railroad safety laws, as defined in 49 CFR 209.

2 (c) If a railroad company does not appear to be in
3 compliance with the applicable federal standards based on an
4 investigation conducted under subsection (b), not later than
5 60 days after the conclusion of the investigation, the
6 Commission shall make a report to the Federal Railroad
7 Administration. The report shall detail the results of the
8 investigation and recommend that the Federal Railroad
9 Administration take enforcement action in accordance with its
10 authority against the railroad company for the safety
11 violations discovered through that investigation.

12 The Commission and the Department shall send a copy of the
13 report to the Governor, the Senate President, the Speaker of
14 the House of Representatives, and the minority leaders of both
15 the Senate and the House of Representatives.

16 Section 25. Wayside detector system installation distance.
17 Any person responsible for the installation of a wayside
18 detector system alongside or on a railroad shall ensure that
19 each wayside detector system location is the following
20 distance from the adjacent wayside detector system location:

21 (1) For a class I carrier railroad, not more than 10
22 miles.

23 (2) For a class II carrier railroad, not more than 25
24 miles.

25 (3) For a class III carrier railroad, not more than 35

1 miles.

2 Section 30. Wayside detector system messages. When a
3 wayside detector system detects a defect in a passing train,
4 rolling stock, on-track equipment, or its component equipment
5 and parts, if the message regarding the defect is not
6 immediately sent to the operator of that train, rolling stock,
7 or on-track equipment, the person that receives the message
8 shall immediately notify the operator of the defect.

9 Section 35. Illinois Commerce Commission responsibility.
10 The Commission, as part of its work with each railroad
11 company, shall ensure that:

12 (1) the manner in which wayside detector systems are
13 installed and placed complies with applicable
14 requirements; and

15 (2) the manner in which wayside detector system
16 messages are sent and received complies with applicable
17 requirements.

18 Section 40. Wayside detector system placement waiver.

19 (a) If the natural terrain or any other reason does not
20 allow for the placement of the next adjacent wayside detector
21 system location to be within the spacing requirements
22 described in Section 25, the next adjacent wayside detector
23 system location shall be not more than 5 miles from the maximum

1 spacing allowed under Section 25.

2 (b) For class II carriers and class III carriers, prior to
3 the installation of a wayside detector system outside the
4 applicable spacing requirements in paragraphs (2) and (3) of
5 Section 25, the carrier shall submit to the Commission a
6 written explanation for the deviation.

7 Section 45. Wayside detector system exemption. Any
8 railroad track owned or leased by a class II carrier or class
9 III carrier that has a speed limit of 10 miles per hour or less
10 is exempt from the requirements stated in Sections 25 and 40.

11 Section 50. Main track inspections.

12 (a) All main track designated within the State for
13 operation at class III carrier speeds or higher under 49 CFR
14 213 shall be subject to visual inspection not less than twice
15 each week, with at least one calendar day interval between
16 inspections by an inspector designated as a qualified person
17 under 49 CFR 213.

18 (b) Any defect or unsafe condition on a main track within
19 the State identified by any inspection, detection, or
20 monitoring method shall be corrected, protected, or removed
21 from service immediately upon detection, consistent with the
22 requirements of 49 CFR 213.

23 (c) If a person qualified under 49 CFR 213 making the track
24 inspection finds a deviation from the requirements of 49 CFR

1 213, that person shall:

2 (1) immediately initiate remedial action; and

3 (2) have the sole authority to authorize any
4 subsequent movements to facilitate repairs on the track
5 that is out of service.

6 Section 55. Enforcement.

7 (a) The Commission, or another State agency designated by
8 law, may enforce the provisions of this Act consistent with
9 its authority.

10 (b) A violation of this Act may subject a railroad carrier
11 to civil penalties as permitted under State law.

12 Section 60. Federal preemption. Nothing in this Act shall
13 be construed to conflict with or be preempted by federal
14 railroad safety laws or regulations. This Act shall be applied
15 to the fullest extent permitted by federal law.

16 Section 65. Severability. If any provision of this Act or
17 its application is held invalid, that invalidity shall not
18 affect other provisions or applications that can be given
19 effect without the invalid provision or application.

20 Section 70. Policy. It is the public policy of the State to
21 enhance public safety by establishing freight train length
22 restrictions on any train that is operated within the State on

1 any rail carrier's main line, or any other line, that:

2 (1) exposes the general public to unnecessary dangers;

3 (2) causes or could reasonably cause unnecessary
4 delays to intercity passenger or commuter trains; or

5 (3) causes or could reasonably cause disruption of
6 commerce.

7 Section 75. The Illinois Vehicle Code is amended by
8 changing Sections 11-1201 and 18c-7402 as follows:

9 (625 ILCS 5/11-1201) (from Ch. 95 1/2, par. 11-1201)

10 Sec. 11-1201. Obedience to signal indicating approach of
11 train or railroad track equipment.

12 (a) Whenever any person driving a vehicle approaches a
13 railroad grade crossing where the driver is not always
14 required to stop, the person must exercise due care and
15 caution as the existence of a railroad track across a highway
16 is a warning of danger, and under any of the circumstances
17 stated in this Section, the driver shall stop within 50 feet
18 but not less than 15 feet from the nearest rail of the railroad
19 and shall not proceed until the tracks are clear and he or she
20 can do so safely. The foregoing requirements shall apply when:

21 1. A clearly visible electric or mechanical signal
22 device gives warning of the immediate approach of a
23 railroad train or railroad track equipment;

24 2. A crossing gate is lowered or a human flagman gives

1 or continues to give a signal of the approach or passage of
2 a railroad train or railroad track equipment;

3 3. A railroad train or railroad track equipment
4 approaching a highway crossing emits a warning signal and
5 such railroad train or railroad track equipment, by reason
6 of its speed or nearness to such crossing, is an immediate
7 hazard;

8 4. An approaching railroad train or railroad track
9 equipment is plainly visible and is in hazardous proximity
10 to such crossing;

11 5. A railroad train or railroad track equipment is
12 approaching so closely that an immediate hazard is
13 created.

14 (a-1) Whenever any person driving a commercial motor
15 vehicle, as defined in Section 6-500 of this Code, approaches
16 a railroad grade crossing where the driver is not always
17 required to stop, the person must exercise due care and
18 caution as the existence of a railroad track across a highway
19 is a warning of danger, and under any of the circumstances
20 stated in this Section, the driver shall stop within 50 feet
21 but not less than 15 feet from the nearest rail of the railroad
22 and shall not proceed until the tracks are clear and he or she
23 can do so safely. The foregoing requirements shall apply when:

24 1. A clearly visible electric or mechanical signal
25 device gives warning of the immediate approach of a
26 railroad train or railroad track equipment;

1 2. A crossing gate is lowered or a human flagman gives
2 or continues to give a signal of the approach or passage of
3 a railroad train or railroad track equipment;

4 3. A railroad train or railroad track equipment
5 approaching a highway crossing emits a warning signal and
6 such railroad train or railroad track equipment, by reason
7 of its speed or nearness to such crossing, is an immediate
8 hazard;

9 4. An approaching railroad train or railroad track
10 equipment is plainly visible and is in hazardous proximity
11 to such crossing;

12 5. A railroad train or railroad track equipment is
13 approaching so closely that an immediate hazard is
14 created.

15 (a-5) Whenever a person driving a commercial motor
16 vehicle, as defined in Section 6-500 of this Code, approaches
17 a railroad grade crossing where the driver is not always
18 required to stop but must slow down, the person must exercise
19 due care and caution as the existence of a railroad track
20 across a highway is a warning of danger, and under any of the
21 circumstances stated in this Section, the driver shall slow
22 down within 50 feet but not less than 15 feet from the nearest
23 rail of the railroad and shall not proceed until he or she
24 checks that the tracks are clear of an approaching train or
25 railroad track equipment.

26 (b) No person shall drive any vehicle through, around or

1 under any crossing gate or barrier at a railroad crossing
2 while such gate or barrier is closed or is being opened or
3 closed.

4 (c) The Department, and local authorities with the
5 approval of the Department, are hereby authorized to designate
6 particularly dangerous highway grade crossings of railroads
7 and to erect stop signs thereat. When such stop signs are
8 erected the driver of any vehicle shall stop within 50 feet but
9 not less than 15 feet from the nearest rail of such railroad
10 and shall proceed only upon exercising due care.

11 (d) At any railroad grade crossing provided with railroad
12 crossbuck signs, without automatic, electric, or mechanical
13 signal devices, crossing gates, or a human flagman giving a
14 signal of the approach or passage of a train or railroad track
15 equipment, the driver of a vehicle shall in obedience to the
16 railroad crossbuck sign, yield the right-of-way and slow down
17 to a speed reasonable for the existing conditions and shall
18 stop, if required for safety, at a clearly marked stopped
19 line, or if no stop line, within 50 feet but not less than 15
20 feet from the nearest rail of the railroad and shall not
21 proceed until he or she can do so safely. If a driver is
22 involved in a collision at a railroad crossing or interferes
23 with the movement of a train or railroad track equipment after
24 driving past the railroad crossbuck sign, the collision or
25 interference is prima facie evidence of the driver's failure
26 to yield right-of-way.

1 (d-1) No person shall, while driving a commercial motor
2 vehicle, fail to negotiate a railroad-highway grade railroad
3 crossing because of insufficient undercarriage clearance.

4 (d-5) (Blank).

5 (e) It is unlawful to violate any part of this Section.

6 (1) A violation of this Section is a petty offense for
7 which a fine of \$500 shall be imposed for a first
8 violation, and a fine of \$1,000 shall be imposed for a
9 second or subsequent violation. The court may impose 25
10 hours of community service in place of the \$500 fine for
11 the first violation.

12 (2) For a second or subsequent violation, the
13 Secretary of State may suspend the driving privileges of
14 the offender for a minimum of 6 months.

15 (3) If a driver is involved in a collision at a grade
16 crossing resulting in the injury or fatality of a railway
17 worker, that driver shall have the driver's driving
18 privileges suspended for a period of not less than 6
19 months up to revocation.

20 (f) Corporate authorities of municipal corporations
21 regulating operators of vehicles that fail to obey signals
22 indicating the presence, approach, passage, or departure of a
23 train or railroad track equipment shall impose fines as
24 established in subsection (e) of this Section.

25 (Source: P.A. 103-179, eff. 6-30-23.)

1 (625 ILCS 5/18c-7402) (from Ch. 95 1/2, par. 18c-7402)
2 Sec. 18c-7402. Safety requirements for railroad
3 operations.

4 (1) Obstruction of crossings.

5 (a) Obstruction of emergency vehicles. Every railroad
6 shall be operated in such a manner as to minimize
7 obstruction of emergency vehicles at crossings. Where such
8 obstruction occurs and the train crew is aware of the
9 obstruction, the train crew shall immediately take any
10 action, consistent with safe operating procedure,
11 necessary to remove the obstruction. In the Chicago and
12 St. Louis switching districts, every railroad dispatcher
13 or other person responsible for the movement of railroad
14 equipment in a specific area who receives notification
15 that railroad equipment is obstructing the movement of an
16 emergency vehicle at any crossing within such area shall
17 immediately notify the train crew through use of existing
18 communication facilities. Upon notification, the train
19 crew shall take immediate action in accordance with this
20 paragraph.

21 (b) Obstruction of highway at grade crossing
22 prohibited. It is unlawful for a rail carrier to permit
23 any train, railroad car or engine to obstruct public
24 travel at a railroad-highway grade crossing for a period
25 in excess of 10 minutes, except where such train or
26 railroad car is continuously moving or cannot be moved by

1 reason of circumstances over which the rail carrier has no
2 reasonable control.

3 In a county with a population of greater than
4 1,000,000, as determined by the most recent federal
5 census, during the hours of 7:00 a.m. through 9:00 a.m.
6 and 4:00 p.m. through 6:00 p.m. it is unlawful for a rail
7 carrier to permit any single train or railroad car to
8 obstruct public travel at a railroad-highway grade
9 crossing in excess of a total of 10 minutes during a 30
10 minute period, except where the train or railroad car
11 cannot be moved by reason or circumstances over which the
12 rail carrier has no reasonable control. Under no
13 circumstances will a moving train be stopped for the
14 purposes of issuing a citation related to this Section.

15 However, no employee acting under the rules or orders
16 of the rail carrier or its supervisory personnel may be
17 prosecuted for a violation of this subsection (b).

18 (c) Punishment for obstruction of grade crossing. Any
19 rail carrier violating paragraph (b) of this subsection
20 shall be guilty of a petty offense and fined not less than
21 \$200 nor more than \$500 if the duration of the obstruction
22 is in excess of 10 minutes but no longer than 15 minutes.
23 If the duration of the obstruction exceeds 15 minutes the
24 violation shall be a business offense and the following
25 fines shall be imposed: if the duration of the obstruction
26 is in excess of 15 minutes but no longer than 20 minutes,

1 the fine shall be \$500; if the duration of the obstruction
2 is in excess of 20 minutes but no longer than 25 minutes,
3 the fine shall be \$700; if the duration of the obstruction
4 is in excess of 25 minutes, but no longer than 30 minutes,
5 the fine shall be \$900; if the duration of the obstruction
6 is in excess of 30 minutes but no longer than 35 minutes,
7 the fine shall be \$1,000; if the duration of the
8 obstruction is in excess of 35 minutes, the fine shall be
9 \$1,000 plus an additional \$500 for each 5 minutes of
10 obstruction in excess of 25 minutes of obstruction.

11 (2) Other operational requirements.

12 (a) Bell and whistle-crossings. Every rail carrier
13 shall cause a bell, and a whistle or horn to be placed and
14 kept on each locomotive, and shall cause the same to be
15 rung or sounded by the engineer or fireman, at the
16 distance of at least 1,320 feet, from the place where the
17 railroad crosses or intersects any public highway, and
18 shall be kept ringing or sounding until the highway is
19 reached; provided that at crossings where the Commission
20 shall by order direct, only after a hearing has been held
21 to determine the public is reasonably and sufficiently
22 protected, the rail carrier may be excused from giving
23 warning provided by this paragraph.

24 (a-5) The requirements of paragraph (a) of this
25 subsection (2) regarding ringing a bell and sounding a
26 whistle or horn do not apply at a railroad crossing that

1 has a permanently installed automated audible warning
2 device authorized by the Commission under Section
3 18c-7402.1 that sounds automatically when an approaching
4 train is at least 1,320 feet from the crossing and that
5 keeps sounding until the lead locomotive has crossed the
6 highway. The engineer or fireman may ring the bell or
7 sound the whistle or horn at a railroad crossing that has a
8 permanently installed audible warning device.

9 (b) Speed limits. Each rail carrier shall operate its
10 trains in compliance with speed limits set by the
11 Commission. The Commission may set train speed limits only
12 where such limits are necessitated by extraordinary
13 circumstances affecting the public safety, and shall
14 maintain such train speed limits in effect only for such
15 time as the extraordinary circumstances prevail.

16 The Commission and the Department of Transportation
17 shall conduct a study of the relation between train speeds
18 and railroad-highway grade crossing safety. The Commission
19 shall report the findings of the study to the General
20 Assembly no later than January 5, 1997.

21 (c) Special speed limit; pilot project. The Commission
22 and the Board of the Commuter Rail Division of the
23 Regional Transportation Authority shall conduct a pilot
24 project in the Village of Fox River Grove, the site of the
25 fatal school bus crash at a railroad crossing on October
26 25, 1995, in order to improve railroad crossing safety.

1 For this project, the Commission is directed to set the
2 maximum train speed limit for Regional Transportation
3 Authority trains at 50 miles per hour at intersections on
4 that portion of the intrastate rail line located in the
5 Village of Fox River Grove. If the Regional Transportation
6 Authority deliberately fails to comply with this maximum
7 speed limit, then any entity, governmental or otherwise,
8 that provides capital or operational funds to the Regional
9 Transportation Authority shall appropriately reduce or
10 eliminate that funding. The Commission shall report to the
11 Governor and the General Assembly on the results of this
12 pilot project in January 1999, January 2000, and January
13 2001. The Commission shall also submit a final report on
14 the pilot project to the Governor and the General Assembly
15 in January 2001. The provisions of this subsection (c),
16 other than this sentence, are inoperative after February
17 1, 2001.

18 (d) Freight train crew size. No rail carrier shall
19 operate or cause to operate a train or light engine used in
20 connection with the movement of freight unless it has an
21 operating crew consisting of at least 2 individuals. The
22 minimum freight train crew size indicated in this
23 subsection (d) shall remain in effect until a federal law
24 or rule encompassing the subject matter has been adopted.
25 The Commission, with respect to freight train crew member
26 size under this subsection (d), has the power to conduct

1 evidentiary hearings, make findings, and issue and enforce
2 orders, including sanctions under Section 18c-1704 of this
3 Chapter. As used in this subsection (d), "train or light
4 engine" does not include trains operated by a hostler
5 service or utility employees.

6 (e) No railroad operating within this State on any
7 main line or any other line shall operate, or permit to be
8 operated, any train which exceeds 8,500 feet in length.
9 The Commission, with respect to freight train length
10 restrictions under this subsection (e), has the power to
11 conduct evidentiary hearings, make findings, and issue and
12 enforce orders, including sanctions under Section 18c-1704
13 of this Chapter. As used in this subsection (e) "train
14 length" means the measurement of any train operating on a
15 main line or any other line within the State.

16 (3) Report and investigation of rail accidents.

17 (a) Reports. Every rail carrier shall report to the
18 Commission, by the speediest means possible, whether
19 telephone, telegraph, or otherwise, every accident
20 involving its equipment, track, or other property which
21 resulted in loss of life to any person. In addition, such
22 carriers shall file a written report with the Commission.
23 Reports submitted under this paragraph shall be strictly
24 confidential, shall be specifically prohibited from
25 disclosure, and shall not be admissible in any
26 administrative or judicial proceeding relating to the

1 accidents reported.

2 (b) Investigations. The Commission may investigate all
3 railroad accidents reported to it or of which it acquires
4 knowledge independent of reports made by rail carriers,
5 and shall have the power, consistent with standards and
6 procedures established under the Federal Railroad Safety
7 Act, as amended, to enter such temporary orders as will
8 minimize the risk of future accidents pending notice,
9 hearing, and final action by the Commission.

10 (Source: P.A. 101-294, eff. 1-1-20; 102-982, eff. 7-1-23.)