

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1191 Session of 2025

INTRODUCED BY MATZIE, BURGOS, STEELE, DEASY, HILL-EVANS, MADDEN, GIRAL, McNEILL, PIELLI, FREEMAN, KENYATTA, VENKAT, SANCHEZ, HADDOCK, MALAGARI, RIVERA, DONAHUE, DAVIDSON, CIRESI, WARREN, SCHLOSSBERG, SCHMITT, INGLIS, PROKOPIAK, MARKOSEK, GREEN AND KHAN, APRIL 15, 2025

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 24, 2026

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 FOR HAZARD IMPACT ASSESSMENT; and <--
11 imposing penalties.

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

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

16 § 2710. Prohibition on blocking of crossings.

17 A railroad owner or operator may not allow for the blocking
18 of a railroad/highway grade crossing that results in the delay
19 of an emergency vehicle from assisting a person or property in
20 distress for more than five minutes. The commission shall assess

1 a civil penalty of \$10,000 for each violation of this section.
2 § 2711. Limitation on length of freight or work trains.

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

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

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

1 investigation authorized under this section.

2 § 2713. Safe staffing levels for trains or light engines.

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

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

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

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

26 (2) If, within three years of the violation, the
27 commission has previously assessed one civil penalty against
28 the person under this subsection, the commission may impose a
29 civil penalty of not less than \$5,000, but not more than
30 \$10,000.

1 (3) If, within three years of the violation, the
2 commission has previously assessed two or more civil
3 penalties against the person under this subsection, the
4 commission may impose a civil penalty of not less than
5 \$10,000, but not more than \$25,000.

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

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

14 § 2714. Wayside detector systems.

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

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

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

30 (3) The distance between wayside detector systems shall

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

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

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

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

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

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

30 (c) Noncompliance.--If a railroad does not appear to be in

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

11 (1) The Governor.

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

13 (3) The Minority Leader of the Senate.

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

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

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

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

29 "Defect." Any of the following:

30 (1) A hot wheel bearing.

1 (2) A hot wheel.

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

4 (4) Dragging equipment.

5 (5) Excessive height or weight.

6 (6) A shifted load.

7 (7) A low hose.

8 (8) A rail temperature defect.

9 (9) A wheel condition defect.

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

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

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

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

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

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

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

1 (1) Methods to strengthen the Commonwealth's safety
2 requirements for the transportation of hazardous materials
3 and hazardous waste by railroads.

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

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

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

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

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

18 (2) The Minority Leader of the Senate.

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

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

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

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

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

28 The commission shall promulgate regulations to create a
29 reporting system for the transportation of hazardous materials
30 and waste by railroads within this Commonwealth. The information

1 contained in the reporting system shall not be made public or
2 otherwise be accessible under the act of February 14, 2008
3 (P.L.6, No.3), known as the Right-to-Know Law, but the
4 commission shall make the information available via a secure
5 online database accessible only to the Federal Emergency
6 Management Agency, the Pennsylvania Emergency Management Agency
7 and county emergency management agencies.

8 ~~Section 2. This act shall take effect in 180 days.~~ <--

9 § 2717. HAZARD IMPACT ASSESSMENT. <--

10 (A) SUBMISSION.--IN ADDITION TO ANY REQUIREMENTS UNDER
11 SECTION 2702 (RELATING TO CONSTRUCTION, RELOCATION, SUSPENSION
12 AND ABOLITION OF CROSSINGS), NO RAIL CARRIER MAY CONSTRUCT A NEW
13 RAILYARD OR EXPAND AN EXISTING RAILYARD WITHOUT FIRST SUBMITTING
14 A HAZARD IMPACT ASSESSMENT TO THE COMMISSION AND THE DEPARTMENT
15 OF TRANSPORTATION IF THE CONSTRUCTION OR EXPANSION OF THE
16 RAILYARD AFFECTS THE TRAFFIC PATTERNS OR SAFETY OF A PUBLIC
17 GRADE CROSSING.

18 (B) SCOPE.--THE HAZARD IMPACT ASSESSMENT UNDER SUBSECTION
19 (A) SHALL BE LIMITED TO THE IMPACT OF THE FACILITY ON PUBLIC
20 ROADWAY SAFETY AND SHALL INCLUDE:

21 (1) AN ANALYSIS OF PROJECTED VEHICULAR TRAFFIC VOLUMES
22 AT ALL GRADE CROSSINGS WITHIN A ONE-MILE RADIUS OF THE
23 FACILITY.

24 (2) IDENTIFICATION OF HIGH-RISK INTERSECTIONS,
25 INCLUDING:

26 (I) SIGHT LINE OBSTRUCTIONS DUE TO TOPOGRAPHY OR
27 PERMANENT STRUCTURES.

28 (II) RISKS OF VEHICULAR QUEUING ONTO TRACKS DUE TO
29 NEARBY TRAFFIC SIGNALS.

30 (III) REPEATED BLOCKAGE OF EMERGENCY RESPONSE

1 ROUTES.

2 (C) MITIGATION PLAN.--IF THE HAZARD IMPACT ASSESSMENT
3 IDENTIFIES A HIGH-RISK INTERSECTION, THE RAIL CARRIER SHALL
4 INCLUDE A MITIGATION PLAN AS PART OF THE APPLICATION. THE PLAN
5 SHALL DETAIL PHYSICAL IMPROVEMENTS TO MITIGATE THE IDENTIFIED
6 HAZARDS, WHICH MAY INCLUDE:

7 (1) INSTALLATION OF FOUR-QUADRANT GATES.

8 (2) CONSTRUCTION OF GRADE SEPARATIONS.

9 (3) IMPLEMENTATION OF ADVANCED TRAFFIC PREEMPTION
10 SYSTEMS CONNECTED TO HIGHWAY TRAFFIC SIGNALS.

11 (D) VIOLATION.--A RAIL CARRIER THAT FAILS TO SUBMIT THE
12 HAZARD IMPACT ASSESSMENT REQUIRED UNDER THIS SECTION OR FAILS TO
13 IMPLEMENT A COMMISSION-APPROVED MITIGATION PLAN COMMITS A
14 VIOLATION OF THIS CHAPTER AND SHALL BE SUBJECT TO THE PENALTIES
15 UNDER CHAPTER 33 (RELATING TO VIOLATIONS AND PENALTIES).

16 (E) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
17 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
18 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

19 "HAZARD IMPACT ASSESSMENT." A COMPREHENSIVE STUDY EVALUATING
20 THE POTENTIAL IMPACT OF RAILROAD INFRASTRUCTURE CHANGES ON
21 PUBLIC ROADWAY SAFETY, EMERGENCY RESPONSE ACCESS AND GRADE
22 CROSSING MECHANICS.

23 "HIGH-RISK INTERSECTION." A GRADE CROSSING IDENTIFIED BY THE
24 COMMISSION WHERE GEOMETRIC, TOPOGRAPHIC OR TRAFFIC VOLUME
25 FACTORS CREATE A HEIGHTENED PROBABILITY OF ACCIDENTS OR VEHICLE
26 ENTRAPMENT OR OTHERWISE WOULD CREATE AN IMMEDIATE DANGER TO THE
27 SAFETY AND WELFARE OF THE PUBLIC.

28 "RAILYARD." A SYSTEM OF TRACKS WITHIN DEFINED LIMITS
29 PROVIDED FOR THE MAKING UP OF TRAINS, STORING OF CARS AND OTHER
30 PURPOSES, WHICH INVOLVES SWITCHING MOVEMENTS.

1 SECTION 2. THE PROVISIONS OF THIS ACT ARE SEVERABLE. IF ANY
2 PROVISION OF THIS ACT OR ITS APPLICATION TO ANY PERSON OR
3 CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY SHALL NOT AFFECT
4 OTHER PROVISIONS OR APPLICATIONS OF THIS ACT WHICH CAN BE GIVEN
5 EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION.

6 SECTION 3. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

7 (1) THE ADDITION OF 66 PA.C.S. § 2717 SHALL TAKE EFFECT
8 IN 60 DAYS.

9 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

10 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 180
11 DAYS.