



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

For Immediate Release: May 23, 2023

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Senate Majority to Pass Rail Safety Bills following Recent National Train Disasters

(Albany, NY) Today, the Senate Democratic Majority will advance legislation to improve rail safety. This package of legislation seeks to minimize the risks of train derailments and enhance the maintenance and safety procedures of freight trains traveling within the state. This legislation builds on the Senate's recent budget victory adding \$800,000 in additional funding for 10 state railroad inspectors, bringing the total allocation to \$1.75 million. This comes in stark contrast to threats by House Republicans to default on the national debt, which would cut roughly 7,500 rail safety inspections and leave 30,000 fewer miles of track inspected on a yearly basis. While communities continue to grapple with the deadly consequences of these disasters, we cannot place a price on greater rail safety.

The bills being advanced today will require the Department of Transportation to issue rules for the installation of heat safety gauges on freight rail tracks at regular intervals and ensure the proper operation of positive train control systems on all freight rail trains operating in the state; limit the length of rail trains; require freight trains to be operated by at least two individuals; require comprehensive inspections along with quarterly inspection reports; require follow up inspections for trains that were noted to have deficiencies or failures; create a central registry for reports, audits, plans and public inspections; establish the Freight Rail Safety Task Force; authorize the Department of Homeland Security to conduct a review of security measures in rail yards; and require railroad corporations to inform the relevant federal and state agencies about transporting hazardous materials prior to traveling within the state.

"Railroads are a vital component of our infrastructure and play a crucial role in facilitating the transportation of essential goods for our economy. The Senate Democratic Majority is taking significant steps by enacting common sense legislation to enhance rail safety and safeguard communities near rail tracks, which often bear the brunt of rail disasters," said **Senate Majority Leader Andrea Stewart-Cousins**. "We must not wait for a train derailment like Norfolk Southern's in East Palestine to occur before we take action to help prevent them from happening

in New York. I thank Senate Transportation Committee Chairman, Senator Tim Kennedy and all the bill sponsors for introducing legislation that will help make our railroads safer.”

Chair of the Transportation Committee, Senator Tim Kennedy said, “Our nation relies on an efficient and well-run transportation network to maintain our supply chains and keep costs in check, but it cannot come at the expense of the health and safety of New Yorkers. As we witnessed devastation unfold in East Palestine, Ohio, we took a hard look at New York's existing standards of operation and identified real opportunities for reform. This package of legislation takes significant steps to strengthen rail safety here in New York State, and I thank Majority Leader Andrea Stewart-Cousins for proactively taking action in order to prevent future disasters.”

The legislation being passed by the Senate Democratic Majority includes:

- **Heat Safety Gauges on Freight Rail Tracks:** This bill, [S.6934](#), sponsored by Senator Tim Kennedy, requires the Department of Transportation to create rules and regulations for the installation of heat safety gauges on freight rail tracks at regular intervals and requires freight trains to ensure their positive train control systems are properly functioning.
- **Two-Person Train Crew Requirement:** This bill, [S.5775](#), sponsored by Senator Tim Kennedy, requires any Class I freight railroad, Class I railroad, or Class II railroad have a crew size of no less than two persons. The purpose of the bill is to prohibit a freight train from being operated unless it has a crew of at least two individuals.
- **Limiting Train Length:** This bill, [S.6925](#), sponsored by Senator Tim Kennedy, prohibits freight trains in excess of eight thousand five hundred feet in length to minimize the risk of train derailments, unless the DOT otherwise determines that larger trains can operate safely on the route.
- **Quarterly Inspection Reports:** This bill, [S.6921](#), sponsored by Senator Iwen Chu requires every railroad corporation which operates any freight train within the state to submit quarterly reports to the Department of Transportation detailing such railroad corporation's inspections of any train yard and freight train operated in the state by such corporation; directs the Department of Transportation to conduct follow up inspections based on such reports.
- **Comprehensive Safety Inspection:** This bill, [S.6923](#), sponsored by Senator Michelle Hinchey requires 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.
- **Follow Up Freight Train Inspections:** This bill, [S.6926](#), sponsored by Senator John Mannion, requires the Department of Transportation to conduct a follow up inspection of any freight rail train or freight rail track audit within the state conducted by the Federal Railroad Administration or nearby regulators that identifies safety-related deficiencies or violations.

- **Central Freight Train Registry:** This bill, [S.6922](#), sponsored by Senator Lea Webb, requires the Department of Transportation to establish a central registry of reports, audits, plans and public inspections regarding freight rail operators, rail cars and freight lines or routes and rights of way.
- **Freight Rail Safety Task Force:** This bill, [S.6935](#), sponsored by Senator Monica Martinez, establishes the Freight Rail Safety Task Force which will review the state of freight rail safety in New York state and make policy and budgetary recommendations related to their findings.
- **Rail Yard Security:** This bill, [S.2737](#), sponsored by Senator Leroy Comrie, ensures proper security in rail yards as it will authorize the Office of Homeland Security to conduct a review and analysis of security measures at rail yards.
- **Alerting DHS and DEC of Transporting Hazardous Materials:** This bill, [S.6924](#), sponsored by Senator James Skoufis, requires railroad corporations to inform the Division of Homeland Security and Emergency Services, Department of Environmental Conservation, and Department of Transportation about freight rail trains transporting hazardous materials prior to traveling on tracks within the state.

Bill Sponsor, Senator Leroy Comrie said, “The security of hazardous chemicals in New York should be guaranteed at every step of the way. The transportation of hazardous chemicals by train, however, presents several vulnerable points where dangerous situations might occur, whether by accident or purposely at the hands of bad actors. My bill, S2737, enacts a common sense measure to ensure that the Division of Homeland Security and Emergency Services works with the applicable State departments to analyze the security of critical infrastructure related to rail yard facilities, assess the effectiveness of measures taken, and make recommendations as needed. I strongly believe that this bill will encourage greater due diligence in our State and I am grateful to my colleague Senator Tim Kennedy, Chair of the Transportation Committee, as well as Senate Majority Leader Andrea Stewart-Cousins for allowing this bill to move forward.”

Bill Sponsor, Senator Iwen Chu said, “New York State must prioritize the implementation of stricter standards for trainyard inspections to ensure the safety and well-being of the public. We saw in East Palestine, Ohio what can happen when the train industry goes unregulated. This legislation requires every railroad corporation that operates a freight train within the State to submit quarterly reports to the Department of Transportation (DOT) detailing the corporation's inspections of any trains located in train yards operated in the state. DOT is also required to conduct follow up inspections based upon the content of the report and the Commissioner may establish rules and regulations for the implementation of this plan. I am proud to sponsor this bill and want to thank the Majority Leader for bringing this package to the floor.”

Bill Sponsor, Senator Michelle Hinchey said, “In the Hudson Valley, freight trains run right through the center of our towns and cities, and yet those entering New York are not subject to in-state and on-site safety inspections, opening our communities up to entirely preventable

catastrophes. My bill seeks to change that by requiring at least two train inspectors to conduct comprehensive, in-person safety assessments before a freight train leaves a New York rail yard. The calamitous Ohio train derailment put into stark focus the need to place more rigorous oversight of New York’s freight rail systems, and I’m proud to help lead that charge when it comes to fighting for the safety of our local Hudson Valley rail lines.”

Bill Sponsor, Senator John Mannion said, “In the wake of the recent derailment in Ohio, it is clear that we need to do more to ensure the safety of our rail system. My bill enhances public safety by requiring additional state inspections on freight trains when a safety-related deficiency has been identified or when a violation has occurred. I commend Majority Leader Andrea Stewart-Cousins and my Senate colleagues for making rail safety a priority in this legislative session.”

Bill Sponsor, Senator Monica Martinez said, “It is abundantly clear the State must take necessary steps to protect New Yorkers from the danger that can come from an unregulated train industry, like we saw in the freight train derailment in East Palestine, Ohio. This legislation will establish a freight rail safety task force to review the current conditions of freight rail safety in our state and make policy and budgetary recommendations. These recommendations will be used to provide officials with vital information that will help make necessary policy changes and minimize the risk of freight train derailments in New York.”

Bill Sponsor Senator James Skoufis said, “The environmental disaster caused by a train derailment in East Palestine, Ohio, was a wake-up call for legislators around the country, and especially in places like New York with a highly active network of freight and commuter lines. I thank the Majority Leader for advancing this comprehensive slate of train safety reforms, including my bill requiring rail companies to provide notification to state agencies when transports of potentially toxic materials occur.”

Bill Sponsor Senator Lea Webb said, “Communities and community members desire and deserve greater transparency regarding freight rail safety, especially in the aftermath of the East Palestine, Ohio train derailment. This bill would help address that need by assembling a central database where any reports, audits, and public inspections that are accessible by the Department of Transportation would be made publicly available. I am proud to sponsor this legislation and bring a sense of safety and security to our communities, and I thank the Majority Leader for bringing this important package to the floor.”

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