



NEW YORK STATE SENATOR

Lea Webb

## Senator Webb and the Senate Majority Pass Rail Safety Bills Following Recent National Freight Train Disasters

LEA WEBB May 23, 2023

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SENATE MAJORITY PASSES LEGISLATION  
TO IMPROVE FREIGHT RAIL SAFETY

# Regular Reports, Safer Rails

**NYSDC**

Senator Webb and the Senate Majority Pass Rail Safety Bills Following Recent National Freight Train Disasters

(BINGHAMTON, NY) Today, Senator Webb and the Senate Democratic Majority advanced 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.

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*"Communities and community members desire and deserve greater transparency regarding freight rail safety, especially in the aftermath of the East Palestine, Ohio train derailment, said Senator Lea Webb. "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."*

The legislation passed by the Senate Democratic Majority includes:

- 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.
- Heat Safety Gauges on Freight Rail Tracks: This bill, [S6934](#), 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.
- 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.

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