

HB 1191 -- Redline

Printer's No. PN1340 to Printer's No. PN3068 -- An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in railroads, providing for prohibition on blocking of crossings, for limitation on length of freight or work trains, for authorization to monitor safety practices and operations by collective bargaining representatives, for safe staffing levels for trains or light engines, for wayside detector systems, for study of transportation of hazardous materials or waste, for reporting system for transportation of hazardous materials or waste and for hazard impact assessment; and imposing penalties.

Deletions ~~struck~~ · Insertions underlined

PRIOR PRINTER'S NO.

~~1340 THE PRINTER'S GENERAL NO. -- ASSEMBLY OF PENNSYLVANIA HOUSE BILL Session of No.~~

~~11913068 2025 THE INTRODUCED GENERAL BY ASSEMBLY MATZIE, OF BURGOS, PENNSYLVANIA STEELE, HOUSE DEASY, BILL HILL-EVANS, Session MADDEN, HADDOCK, MALAGARI, RIVERA, DONAHUE, DAVIDSON, CIRESI, WARREN, SCHLOSSBERG AND SCHMITT, APRIL 15, 2025 REFUTILITIES, APRIL 15, 2025 SUMER PROTECTION, TECHNOLOGY AND AN ACT Amending Title 66 (Public Utilities) of the No. -- Pennsylvania Consolidated Statutes, in railroads, providing for prohibition on blocking of crossings, for limitation on length of freight or work trains, for authorization to monitor safety practices and operations by collective bargaining representatives, for safe staffing levels for study of transportation of hazardous materials or waste and for reporting system for transportation of hazardous materials or waste;~~

1191 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 Amended Consolidated Statutes, in railroads, providing for prohibition on blocking of crossings, for limitation on length of freight or work trains, for authorization to monitor safety practices and imposing operations penalties by collective bargaining representatives, for safe staffing levels for trains or light engines, for wayside detector systems, for study of transportation of hazardous materials or waste and, <-- for reporting system for transportation of hazardous materials or waste AND FOR HAZARD IMPACT ASSESSMENT; and <-- imposing penalties.

A railroad may not assert that the collective bargaining representative or State director or representative is trespassing on railroad property during an 20250HB1191PN3068 - 2 - investigation authorized under this section.

~~20250HB1191PN1340 - 2 -~~ Sec. 2713.

20250HB1191PN3068 - 3 - (3) If, within three years of the violation, the ~~20250HB1191PN1340 - 3 -~~ commission has previously assessed two or more civil penalties against the person under this subsection, the commission may impose a civil penalty of not less than \$10,000, but not more than \$25,000.

(3) The distance between wayside detector systems shall 20250HB1191PN3068 - 4 - be appropriate, when accounting for the natural terrain ~~20250HB1191PN1340 - 4 -~~ surrounding a track where the railroad operates and the safety of the trains, rolling stock, on-track equipment, their operators, their passengers and the persons and property in the vicinity of the track, to provide an operator of a train with sufficient time to do any of the following if a defect is detected:

(c) Noncompliance.--If a railroad does not appear to be in 20250HB1191PN3068 - 5 - compliance with Federal railroad safety laws based on an ~~20250HB1191PN1340 - 5 -~~ investigation conducted under subsection (b), no later than 60 days after the conclusion of the investigation, the commission shall make a report to the Federal Railroad Administration.

20250HB1191PN3068 - 6 - (2) A hot wheel.

~~20250HB1191PN1340 - 6 -~~ (3) A defective bearing that is detected through acoustics.

20250HB1191PN3068 - 7 - (1) Methods to strengthen the Commonwealth's safety ~~20250HB1191PN1340 - 7 -~~ requirements for the transportation of hazardous materials and hazardous waste by railroads.

The information 20250HB1191PN3068 - 8 - contained in the reporting system shall not be made public or ~~20250HB1191PN1340 - 8 -~~ otherwise be accessible under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, but the commission shall make the information available via a secure online database accessible only to the Federal Emergency Management Agency, the Pennsylvania Emergency Management Agency and county emergency management agencies.

~~20250HB1191PN1340 <-- -Sec. 92717.-~~

HAZARD IMPACT ASSESSMENT.

<-- (A) SUBMISSION.--IN ADDITION TO ANY REQUIREMENTS UNDER SECTION 2702 (RELATING TO CONSTRUCTION, RELOCATION, SUSPENSION AND ABOLITION OF CROSSINGS), NO RAIL CARRIER MAY CONSTRUCT A NEW RAILYARD OR EXPAND AN EXISTING RAILYARD WITHOUT FIRST SUBMITTING A HAZARD IMPACT ASSESSMENT TO THE COMMISSION AND THE DEPARTMENT OF TRANSPORTATION IF THE CONSTRUCTION OR EXPANSION OF THE RAILYARD AFFECTS THE TRAFFIC

PATTERNS OR SAFETY OF A PUBLIC GRADE CROSSING.

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

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

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

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

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

(III) REPEATED BLOCKAGE OF EMERGENCY RESPONSE 20250HB1191PN3068 - 9 - ROUTES.

(C) MITIGATION PLAN.--IF THE HAZARD IMPACT ASSESSMENT IDENTIFIES A HIGH-RISK INTERSECTION, THE RAIL CARRIER SHALL INCLUDE A MITIGATION PLAN AS PART OF THE APPLICATION.

THE PLAN SHALL DETAIL PHYSICAL IMPROVEMENTS TO MITIGATE THE IDENTIFIED HAZARDS, WHICH MAY INCLUDE:

(1) INSTALLATION OF FOUR-QUADRANT GATES.

(2) CONSTRUCTION OF GRADE SEPARATIONS.

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

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

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

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

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

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

20250HB1191PN3068 - 10 - SECTION 2.

THE PROVISIONS OF THIS ACT ARE SEVERABLE.

IF ANY PROVISION OF THIS ACT OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS ACT WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION.

SECTION 3.

THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE ADDITION OF 66 PA.C.S.

Sec. 2717 SHALL TAKE EFFECT IN 60 DAYS.

(2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

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

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