

Senate File 40 - Introduced

SENATE FILE 40
BY SHIPLEY

A BILL FOR

1 An Act requiring the installation and maintenance of train defect
2 detectors on railway branch lines, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **327F.6 Defect detectors.**

2 1. A railroad company shall install and maintain at least one
3 defect detector on or along every railway branch line upon which
4 the company operates a train, and if the railway branch line is
5 longer than fifteen miles, the railroad company shall install
6 and maintain at least one defect detector every fifteen miles.
7 Railroad companies that operate on the same railway may jointly
8 share the costs associated with installing and maintaining defect
9 detectors under this subsection.

10 2. a. A railroad company that operates a train on a railway
11 branch line that does not have a defect detector installed and
12 maintained in accordance with subsection 1 is subject to a
13 schedule "five" penalty under section 327C.5 for every mile of
14 the branch line, or if the branch line is longer than fifteen
15 miles, for every mile of the branch line that is more than
16 fifteen miles away from a defect detector, as applicable.

17 b. A railroad company is subject to a schedule "five" penalty
18 under section 327C.5 for each time a train crosses or passes by a
19 defect detector that fails to notify the train crew of a detected
20 defect.

21 3. Railroad companies that operate on the same railway branch
22 line are jointly and severally liable in any suit arising from
23 the installation and maintenance of all defect detectors, or lack
24 thereof, on or along the branch line.

25 4. As used in this section, "defect detector" means a device,
26 regardless of whether the device is integrated into the railway,
27 equipped with sensors that detect axle and brake abnormalities
28 on a passing train and alert the train crew of any detected
29 abnormality.

30

EXPLANATION

31

The inclusion of this explanation does not constitute agreement with

32

the explanation's substance by the members of the general assembly.

33

This bill requires a railroad company to install and maintain
34 at least one defect detector, as defined in the bill, on or
35 along every railway branch line upon which the company's trains

1 operate. If the branch line is longer than 15 miles, one defect
2 detector is required at least every 15 miles. Railroad companies
3 that operate trains on the same railway may share such costs and
4 are jointly and severally liable in any suit arising from the
5 installation and maintenance of all defect detectors, or lack
6 thereof, on or along the railway branch line.

7 A railroad company that operates a train on a railway branch
8 line that does not have a defect detector installed as required
9 under the bill is subject to a schedule "five" penalty under
10 Code section 327C.5 for every mile of the branch line, or every
11 mile that is more than 15 miles away from a defect detector, as
12 applicable. A railroad company is also subject to a schedule
13 "five" penalty for each time a train crosses or passes by a
14 defect detector that fails to notify the train crew of a detected
15 defect. A schedule "five" penalty is a fine of not less than
16 \$500 nor more than \$5,000 for a first violation, and not less
17 than \$5,000 nor more than \$10,000 for a subsequent violation.