



## Ohio Revised Code

### Section 4955.50 Wayside detector systems.

Effective: June 30, 2023

Legislation: House Bill 23 - 135th General Assembly

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(A) As used in this section and section 4955.51 of the Revised Code:

(1) "Wayside detector system" means an electronic device or a series of connected devices that scan passing trains, rolling stock, on-track equipment, and their component equipment and parts for defects.

(2) "Defects" include hot wheel bearings, hot wheels, defective bearings that are detected through acoustics, dragging equipment, excessive height or weight, shifted loads, low hoses, rail temperature, and wheel condition.

(B) The public utilities commission in conjunction with the department of transportation shall work with each railroad company that does business in this state to ensure that wayside detector systems are installed and are operating along railroad tracks on which the railroad operates and to ensure that such systems meet all of following standards:

(1) The systems are properly installed, maintained, repaired, and operational in accordance with section 4955.51 of the Revised Code and the latest guidelines issued by the United States department of transportation, the federal railroad administration, and the association of American railroads.

(2) Any expired, nonworking, or outdated wayside detector system or component parts of a system are removed and replaced with new parts or an entirely new system that reflects the current best practices and standards of the industry.

(3) The distance between wayside detector systems is appropriate when accounting for the requirements of section 4955.51 of the Revised Code, the natural terrain surrounding the railroad track on which 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 such railroad track so that if defects are detected operators have sufficient time to do the following:



- (a) Respond to the alerts projected by the wayside detector system;
  - (b) Stop the train, rolling stock, or on-track equipment, if necessary;
  - (c) Make all necessary repairs or, if repair is impossible at the location, to remove the component parts or equipment that is defective.
- (4) The railroad company has defined, written standards and training for its employees pertaining to wayside detector system defect alerts, the course of action that employees are required to take to respond to an alert, and appropriate monitoring and responses by the company if employees fail to take the required course of action.
- (C) If a railroad company refuses to work or otherwise cooperate with the public utilities commission and the department of transportation in good faith in accordance with this section, the commission and department shall investigate that railroad company's safety practices and standards in accordance with 49 C.F.R. Part 212. The commission and department shall determine whether the company appears to be in compliance with federal railroad safety laws, as defined in 49 C.F.R. Part 209.
- (D)(1) If a railroad company does not appear to be in compliance with the applicable federal standards based on an investigation conducted under division (C) of this section, not later than sixty days after the conclusion of the investigation, the commission and department shall make a report to the federal railroad administration. The report shall detail the results of the investigation and recommend that the administration take enforcement action in accordance with its authority against the railroad company for the safety violations discovered through that investigation.
- (2) The commission and department shall send a copy of the report to the governor, the president of the senate, the speaker of the house of representatives, and the minority leaders of both the senate and the house of representatives.