

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 250**

**Senator Reineke**

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**A BILL**

To amend sections 4955.50 and 4955.51 and to enact 1  
sections 4955.52, 4955.53, 4955.55, and 4955.57 2  
of the Revised Code to create separate 3  
requirements for the installation of wayside 4  
detector systems for certain railroad companies. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4955.50 and 4955.51 be amended 6  
and sections 4955.52, 4955.53, 4955.55, and 4955.57 of the 7  
Revised Code be enacted to read as follows: 8

**Sec. 4955.50.** (A) As used in this section and ~~section~~ 9  
sections 4955.51 to 4955.57 of the Revised Code: 10

(1) "Wayside detector system" means an electronic device 11  
or a series of connected devices that scan passing trains, 12  
rolling stock, on-track equipment, and their component equipment 13  
and parts for defects. 14

(2) "Defects" include hot wheel bearings, hot wheels, 15  
defective bearings that are detected through acoustics, dragging 16  
equipment, excessive height or weight, shifted loads, low hoses, 17  
rail temperature, and wheel condition. 18

(3) "Class I carrier," "class II carrier," and "class III carrier" have the same meanings as defined in 49 C.F.R. Part 1204 1-1. 19  
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(B) The public utilities commission in conjunction with 22  
the department of transportation shall work with each railroad 23  
company that does business in this state to ensure that wayside 24  
detector systems are installed and are operating along railroad 25  
tracks on which the railroad operates and to ensure that such 26  
systems meet all of following standards: 27

(1) The systems are properly installed, maintained, 28  
repaired, and operational in accordance with ~~section~~sections 29  
4955.51 to 4955.57 of the Revised Code and the latest guidelines 30  
issued by the United States department of transportation, the 31  
federal railroad administration, and the association of American 32  
railroads. 33

(2) Any expired, nonworking, or outdated wayside detector 34  
system or component parts of a system are removed and replaced 35  
with new parts or an entirely new system that reflects the 36  
current best practices and standards of the industry. 37

(3) The distance between wayside detector systems is 38  
appropriate when accounting for the requirements of ~~section~~sections 39  
4955.51 to 4955.57 of the Revised Code, the natural 40  
terrain surrounding the railroad track on which the railroad 41  
operates, and the safety of the trains, rolling stock, on-track 42  
equipment, their operators, their passengers, and the persons 43  
and property in the vicinity of such railroad track so that if 44  
defects are detected operators have sufficient time to do the 45  
following: 46

(a) Respond to the alerts projected by the wayside 47

detector system; 48

(b) Stop the train, rolling stock, or on-track equipment, 49  
if necessary; 50

(c) Make all necessary repairs or, if repair is impossible 51  
at the location, to remove the component parts or equipment that 52  
is defective. 53

(4) The railroad company has defined, written standards 54  
and training for its employees pertaining to wayside detector 55  
system defect alerts, the course of action that employees are 56  
required to take to respond to an alert, and appropriate 57  
monitoring and responses by the company if employees fail to 58  
take the required course of action. 59

(C) If a railroad company refuses to work or otherwise 60  
cooperate with the public utilities commission and the 61  
department of transportation in good faith in accordance with 62  
this section, the commission and department shall investigate 63  
that railroad company's safety practices and standards in 64  
accordance with 49 C.F.R. Part 212. The commission and 65  
department shall determine whether the company appears to be in 66  
compliance with federal railroad safety laws, as defined in 49 67  
C.F.R. Part 209. 68

(D) (1) If a railroad company does not appear to be in 69  
compliance with the applicable federal standards based on an 70  
investigation conducted under division (C) of this section, not 71  
later than sixty days after the conclusion of the investigation, 72  
the commission and department shall make a report to the federal 73  
railroad administration. The report shall detail the results of 74  
the investigation and recommend that the administration take 75  
enforcement action in accordance with its authority against the 76

railroad company for the safety violations discovered through 77  
that investigation. 78

(2) The commission and department shall send a copy of the 79  
report to the governor, the president of the senate, the speaker 80  
of the house of representatives, and the minority leaders of 81  
both the senate and the house of representatives. 82

**Sec. 4955.51.** ~~(A)(1)~~ Except as otherwise provided in 83  
~~division (A)(2) of this section~~ sections 4955.55 and 4955.57 of 84  
the Revised Code, any person responsible for the installation of 85  
wayside detector systems alongside or on a railroad shall ensure 86  
that each system location is ~~not more than ten miles~~ the 87  
following distance from the adjacent system location: 88

(A) For a class I carrier railroad, not more than ten 89  
miles; 90

(B) For a class II carrier railroad, not more than twenty- 91  
five miles; 92

(C) For a class III carrier railroad, not more than 93  
thirty-five miles. 94

~~(2) If the natural terrain does not allow for the~~ 95  
~~placement of the next adjacent system location within ten miles~~ 96  
~~from the prior system location, the next adjacent system~~ 97  
~~location shall be installed not more than fifteen miles from the~~ 98  
~~prior system location.~~ 99

~~(B) When a wayside detector system detects a defect in a~~ 100  
~~passing train, rolling stock, on track equipment, or its~~ 101  
~~component equipment and parts, if the message regarding the~~ 102  
~~defect is not immediately sent to the operator of that train,~~ 103  
~~rolling stock, or on track equipment, the person that receives~~ 104  
~~the message shall immediately notify the operator of the defect.~~ 105

~~(C) The department of transportation and the public  
utilities commission, as part of their work with each railroad  
company under division (B) of section 4955.50 of the Revised  
Code, shall ensure both of the following:~~ 106  
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~~(1) The manner in which wayside detector systems are  
installed and placed complies with division (A) of this section;~~ 110  
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~~(2) The manner in which wayside detector system messages  
are sent and received complies with division (B) of this  
section.~~ 112  
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Sec. 4955.52. When a wayside detector system detects a 115  
defect in a passing train, rolling stock, on-track equipment, or 116  
its component equipment and parts, if the message regarding the 117  
defect is not immediately sent to the operator of that train, 118  
rolling stock, or on-track equipment, the person that receives 119  
the message shall immediately notify the operator of the defect. 120

Sec. 4955.53. The department of transportation and the 121  
public utilities commission, as part of their work with each 122  
railroad company under division (B) of section 4955.50 of the 123  
Revised Code, shall ensure both of the following: 124

(A) The manner in which wayside detector systems are 125  
installed and placed complies with section 4955.51 of the 126  
Revised Code; 127

(B) The manner in which wayside detector system messages 128  
are sent and received complies with section 4955.52 of the 129  
Revised Code. 130

Sec. 4955.55. (A) If the natural terrain or any other 131  
reason does not allow for the placement of the next adjacent 132  
wayside detector system location to be within the spacing 133  
requirements described in section 4955.51 of the Revised Code, 134

the next adjacent system location shall be not more than five 135  
miles from the maximum spacing allowed in that section. 136

(B) For class II carriers and class III carriers, prior to 137  
the installation of a wayside detector system outside the 138  
spacing requirements as described in division (A) of this 139  
section, the carrier shall submit to the public utilities 140  
commission a written explanation for the deviation. 141

Sec. 4955.57. Any railroad track owned or leased by a 142  
class II carrier or class III carrier that has a speed limit of 143  
ten miles per hour or less is exempt from the requirements 144  
stated in sections 4955.50 to 4955.52 of the Revised Code. 145

**Section 2.** That existing sections 4955.50 and 4955.51 of 146  
the Revised Code are hereby repealed. 147

**Section 3.** (A) Not later than December 31, 2028, the 148  
Public Utilities Commission shall complete a review of train 149  
derailments in Ohio using statistics from the Federal Railroad 150  
Administration to identify derailments due to bearing or axle 151  
failure over the three years proceeding the effective date of 152  
this section. 153

(B) The commission shall send a copy of the review 154  
described in division (A) of this section to the following: 155

(1) The Governor; 156

(2) The President of the Senate; 157

(3) The Speaker of the House of Representatives; 158

(4) The minority leaders of both the Senate and the House 159  
of Representatives. 160