

House Bill 2892

Sponsored by Representative SCHAUFLEER (at the request of Joint Council of Teamsters Number 37, Brotherhood of Locomotive Engineers and Trainmen)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires railroad company to display railroad signs and signals and place targets on switches.
Directs Department of Transportation to prescribe specifications for design and location of targets and railroad signs and signals.

A BILL FOR AN ACT

1
2 Relating to railroads.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of the Oregon Vehicle**
5 **Code.**

6 **SECTION 2. (1) As used in this section, "railroad company" has the meaning given that**
7 **term in ORS 824.200.**

8 **(2)(a) A railroad company shall display signs to notify a locomotive engineer of an ap-**
9 **proaching grade crossing, consistent with federal law, including but not limited to whistle**
10 **post signs.**

11 **(b) A railroad company that displays a whistle post sign shall locate the whistle post**
12 **signs to the right of the main track in the direction of approach, one-quarter mile from the**
13 **entrance to any grade crossing, as a point of reference for locomotive engineers who blow**
14 **the whistle and ring the bell for the grade crossings as a warning to the public.**

15 **(3)(a) When a railroad company issues written or oral instructions to its employees to**
16 **restrict or stop train movements because of track conditions, structures, persons or equip-**
17 **ment, the employees shall display flags that are readily visible and easily recognizable to the**
18 **crews on both passenger and freight trains as quickly as practicable but not later than 24**
19 **hours after the railroad company issues the instructions. The following flags shall be used**
20 **at the following times:**

21 **(A) Yellow flags. Yellow flags shall be used to warn trains to restrict movement because**
22 **of track conditions or structures. Except as provided in this paragraph, a yellow flag shall**
23 **be displayed two miles before the restricted area in order to ensure that train movement is**
24 **restricted at the proper location. When the restricted area is close to a terminal, junction**
25 **or other area, the yellow flag may be displayed less than two miles before the restricted area.**

26 **(B) Yellow-red flags. Yellow-red flags shall be used to warn trains to be prepared to stop**
27 **because of individuals or equipment working. A yellow-red flag shall be displayed two miles**
28 **before the restricted area in order to ensure that the train is prepared to stop at the proper**
29 **location. When the restricted area is close to a terminal, junction or other area, the**
30 **yellow-red flag may be displayed less than two miles before the restricted area.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (b) The railroad company shall provide employees written instructions regarding the re-
2 quirements of this subsection.

3 (c) Flags shall be displayed only on the track affected and shall be displayed to the right
4 side of the track as viewed from the approaching train. The flags shall be displayed to protect
5 all possible access to the restricted area.

6 (4) A railroad company shall provide milepost markers to train crews at one-mile inter-
7 vals.

8 (5)(a) A railroad company shall place permanent advance speed signs to the right of the
9 track in the direction of approach, two miles before the point where a lower speed is to take
10 effect for both passenger and freight trains.

11 (b) A railroad company shall place permanent speed signs to the right of the track in the
12 direction of approach, where a different speed takes effect for both passenger and freight
13 trains.

14 (6) A railroad company shall place permanent targets on all switches that are attached
15 to the main line in nonsignaled territory where the maximum authorized speed exceeds 20
16 miles per hour. In addition, the targets must:

17 (a) Be no smaller than 200 square inches on high stand switches.

18 (b) Be no smaller than 72 square inches on low stand switches.

19 (c) Display a green reflectorized metal target to indicate that the switch is lined for main
20 line movement.

21 (d) Display a red reflectorized metal target to indicate that the switch is lined for other
22 than main line movement.

23 (7) All railroad signs, signals, milepost markers and targets described under this section
24 must be readily visible to a locomotive engineer within the locomotive cab, kept in good re-
25 pair and replaced when necessary.

26 (8) The Department of Transportation shall adopt rules prescribing specifications for the
27 design and location of targets and railroad signs and signals, including but not limited to
28 yellow flags, yellow-red flags, red flags, green flags, stop flags, fouling point signs, switch
29 targets, restricted limits, yard limits, derail signs, spring switch markers, advance speed
30 signs, permanent speed signs and all signs that mark the beginning or end of a specific type
31 of main line operation such as Track Warrant Control, Automatic Block System or Central-
32 ized Traffic Control.

33 **SECTION 3.** (1) Section 2 of this 2009 Act becomes operative on July 1, 2010.

34 (2) Prior to July 1, 2010, the Department of Transportation may adopt rules and take all
35 other measures determined by the department to be necessary for implementation of section
36 2 of this 2009 Act.

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