

No. 49

AN ACT

HB 244

Requiring speed recorders on locomotives.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Declaration of Findings.—The General Assembly of the Commonwealth of Pennsylvania finds that the safe operation of steam, diesel, electric or otherwise propelled locomotives within the Commonwealth, by reason of its peculiarly mountainous terrain and winding river valleys, requires that all steam, diesel, electric or otherwise propelled locomotives operated in excess of 30 miles per hour by common carriers by rail within the Commonwealth be equipped with devices for making a permanent record of the speed at which they are operated except that nothing contained herein shall be applicable to locomotives while being used in commuter passenger service.

Section 2. Speed Recorder Required.—No railroad locomotive shall be operated in excess of 30 miles per hour in Pennsylvania without a device making a permanent record, accurate within four miles per hour, of the speed at which the locomotive is operated.

Section 3. Compliance Schedule.—A railroad shall be deemed to be in compliance with the above provisions if, within one year from the effective date of this act, it has at least $\frac{1}{3}$ of its locomotives equipped with devices to make a permanent record of the speed as hereinabove provided and if, within one and one-half years from the effective date of this act, an additional $\frac{1}{3}$ of said locomotives shall be so equipped, and if, within two years from the effective date of this act, the remainder of its locomotives shall be so equipped.

Section 4. Locomotives Used Exclusively Within Yard Limits.—Locomotives operated or used exclusively within designated yard limits in switching or transfer service need not be equipped in accordance with the provisions of this act.

Section 5. Notification of Compliance.—Each such railroad shall notify the Pennsylvania Public Utility Commission of the date that each such locomotive comes into compliance with the provisions of this act. The notification shall state the serial number or other identification of the locomotive.

Section 6. Records.—Each railroad affected by the provisions of this act shall maintain at a designated location a list or schedule of the locomotives hereinabove referred to. It shall set forth, along with other information, the date that the speed recorder referred to herein was calibrated and found to be functioning in accordance with the

provisions of this act. It shall advise the Public Utility Commission as to such location. The permanent records required hereby shall be maintained by the railroad at a location made known to the Public Utility Commission for a period of six months, or, in the event of an accident during the operation of the locomotive involved, until permission to destroy them has been granted by the commission.

Section 7. Enforcement.—The Public Utility Commission shall enforce the provisions of this act and may issue such order or orders as may be proper to require compliance therewith.

APPROVED—The 25th day of July, A. D. 1975.

MILTON J. SHAPP