



1 Authorized employees of the Commission shall have the power  
2 at any and all times to examine, audit, or demand production  
3 of all accounts, books, records, memoranda, and other papers  
4 in the possession or control of a license or registration  
5 holder, its employees or agents. In addition, every person  
6 other than a license or registration holder and every  
7 officer, employee or agent of such person shall permit every  
8 authorized employee of the Commission, upon administrative  
9 subpoena issued by the Chairman or his designee or the  
10 Attorney General, to inspect and copy any accounts, books,  
11 records, memoranda, letters, checks, vouchers, telegrams,  
12 documents, or other papers in its possession or control which  
13 the Commission deems necessary to the proper conduct of an  
14 investigation to determine whether provisions of this  
15 Chapter, Commission regulations or orders, have been  
16 violated.

17 (c) Inspection of Equipment and Facilities. Authorized  
18 employees of the Commission shall have the power at all times  
19 to inspect the equipment, facilities, and other property of  
20 the licensee in the possession or control of a carrier or  
21 broker, its employees or agents.

22 (d) Special Investigations. The Commission may also  
23 conduct special investigations as necessary for the  
24 enforcement of this Chapter. Where such person is found by  
25 the Commission to have violated this Chapter, and where the  
26 Commission imposes a sanction for such violation under  
27 Section 18c-1704 of this Chapter, the Commission may impose  
28 on such person an assessment of reasonable expenses incurred  
29 by the Commission in the investigation and subsequent  
30 proceeding. Such assessment shall not exceed a fee of \$100  
31 per work day or \$50 per half work day, per employee, for the  
32 payroll costs of the Commission staff, plus actual  
33 transportation (in accordance with applicable state employee  
34 travel expense reimbursement regulations) and all other

1 actual expenses incurred in the special investigation and  
2 subsequent proceeding.

3 (3) Arrests and Citations. The Commission shall make  
4 arrests and issue notices of civil violations where necessary  
5 for the enforcement of this Chapter. No rail carrier employee  
6 shall be arrested for violation of this Chapter, except that  
7 a rail carrier supervisor may be arrested and prosecuted for  
8 a violation of subdivision (1)(e) of Section 18c-7402 where  
9 he or she is an officer or director of the rail carrier whose  
10 managerial duties include the establishment, maintenance, or  
11 supervision of the rail carrier's routes, traffic, or  
12 timetables, or whose managerial duties include the  
13 supervision of, oversight of, or responsibility for track or  
14 other railroad-related construction, maintenance, or  
15 improvements. No person operating a motor vehicle in  
16 violation of the licensing or safety provisions of this  
17 Chapter shall be permitted to transport property or  
18 passengers beyond the point of arrest unless, in the opinion  
19 of the officer making the arrest, it is necessary to  
20 transport the property or passengers to another location to  
21 insure their safety or to preserve or tend cargo carried in  
22 the vehicle.

23 (Source: P.A. 85-553.)

24 (625 ILCS 5/18c-7401) (from Ch. 95 1/2, par. 18c-7401)  
25 Sec. 18c-7401. Safety Requirements for Track,  
26 Facilities, and Equipment.

27 (1) General Requirements. Each rail carrier shall,  
28 consistent with rules, orders, and regulations of the Federal  
29 Railroad Administration, construct, maintain, and operate all  
30 of its equipment, track, and other property in this State in  
31 such a manner as to pose no undue risk to its employees or  
32 the person or property of any member of the public.

33 (2) Adoption of Federal Standards. The track safety

1 standards and accident/incident standards promulgated by the  
2 Federal Railroad Administration shall be safety standards of  
3 the Commission. The Commission may, in addition, adopt by  
4 reference in its regulations other federal railroad safety  
5 standards, whether contained in federal statutes or in  
6 regulations adopted pursuant to such statutes.

7 (3) Railroad Crossings. No public road, highway, or  
8 street shall hereafter be constructed across the track of any  
9 rail carrier at grade, nor shall the track of any rail  
10 carrier be constructed across a public road, highway or  
11 street at grade, without having first secured the permission  
12 of the Commission; provided, that this Section shall not  
13 apply to the replacement of lawfully existing roads, highways  
14 and tracks. No public pedestrian bridge or subway shall be  
15 constructed across the track of any rail carrier without  
16 having first secured the permission of the Commission. The  
17 Commission shall have the right to refuse its permission or  
18 to grant it upon such terms and conditions as it may  
19 prescribe. The Commission shall have power to determine and  
20 prescribe the manner, including the particular point of  
21 crossing, and the terms of installation, operation,  
22 maintenance, use and protection of each such crossing.

23 The Commission shall also have power, after a hearing, to  
24 require major alteration of or to abolish any crossing,  
25 heretofore or hereafter established, when in its opinion, the  
26 public safety requires such alteration or abolition, and,  
27 except in cities, villages and incorporated towns of  
28 1,000,000 or more inhabitants, to vacate and close that part  
29 of the highway on such crossing altered or abolished and  
30 cause barricades to be erected across such highway in such  
31 manner as to prevent the use of such crossing as a highway,  
32 when, in the opinion of the Commission, the public  
33 convenience served by the crossing in question is not such as  
34 to justify the further retention thereof; or to require a

1 separation of grades, at railroad-highway grade crossings; or  
2 to require a separation of grades at any proposed crossing  
3 where a proposed public highway may cross the tracks of any  
4 rail carrier or carriers; and to prescribe, after a hearing  
5 of the parties, the terms upon which such separations shall  
6 be made and the proportion in which the expense of the  
7 alteration or abolition of such crossings or the separation  
8 of such grades, having regard to the benefits, if any,  
9 accruing to the rail carrier or any party in interest, shall  
10 be divided between the rail carrier or carriers affected, or  
11 between such carrier or carriers and the State, county,  
12 municipality or other public authority in interest. However,  
13 a public hearing by the Commission to abolish a crossing  
14 shall not be required when the public highway authority in  
15 interest vacates the highway. In such instance the rail  
16 carrier, following notification to the Commission and the  
17 highway authority, shall remove any grade crossing warning  
18 devices and the grade crossing surface.

19 The Commission shall also have power by its order to  
20 require the reconstruction, minor alteration, minor  
21 relocation or improvement of any crossing (including the  
22 necessary highway approaches thereto) of any railroad across  
23 any highway or public road, pedestrian bridge, or pedestrian  
24 subway, whether such crossing be at grade or by overhead  
25 structure or by subway, whenever the Commission finds after a  
26 hearing or without a hearing as otherwise provided in this  
27 paragraph that such reconstruction, alteration, relocation or  
28 improvement is necessary to preserve or promote the safety or  
29 convenience of the public or of the employees or passengers  
30 of such rail carrier or carriers. For the purpose of this  
31 Section, a minor alteration shall include the installation of  
32 any type of remote control track switch, technical or  
33 operational improvement, or any other actions the Commission  
34 deems necessary to reduce the occupancy of crossings by

1 trains and increase public safety. By its original order or  
2 supplemental orders in such case, the Commission may direct  
3 such reconstruction, alteration, relocation, or improvement  
4 to be made in such manner and upon such terms and conditions  
5 as may be reasonable and necessary and may apportion the cost  
6 of such reconstruction, alteration, relocation or improvement  
7 and the subsequent maintenance thereof, having regard to the  
8 benefits, if any, accruing to the railroad or any party in  
9 interest, between the rail carrier or carriers and public  
10 utilities affected, or between such carrier or carriers and  
11 public utilities and the State, county, municipality or other  
12 public authority in interest. The cost to be so apportioned  
13 shall include the cost of changes or alterations in the  
14 equipment of public utilities affected as well as the cost of  
15 the relocation, diversion or establishment of any public  
16 highway, made necessary by such reconstruction, alteration,  
17 relocation or improvement of said crossing. A hearing shall  
18 not be required in those instances when the Commission enters  
19 an order confirming a written stipulation in which the  
20 Commission, the public highway authority or other public  
21 authority in interest, the rail carrier or carriers affected,  
22 and in instances involving the use of the Grade Crossing  
23 Protection Fund, the Illinois Department of Transportation,  
24 agree on the reconstruction, alteration, relocation, or  
25 improvement and the subsequent maintenance thereof and the  
26 division of costs of such changes of any grade crossing  
27 (including the necessary highway approaches thereto) of any  
28 railroad across any highway, pedestrian bridge, or pedestrian  
29 subway.

30 Every rail carrier operating in the State of Illinois  
31 shall construct and maintain every highway crossing over its  
32 tracks within the State so that the roadway at the  
33 intersection shall be as flush with the rails as  
34 superelevated curves will allow, and, unless otherwise

1 ordered by the Commission, shall construct and maintain the  
2 approaches thereto at a grade of not more than 5% within the  
3 right of way for a distance of not less the 6 feet on each  
4 side of the centerline of such tracks; provided, that the  
5 grades at the approaches may be maintained in excess of 5%  
6 only when authorized by the Commission.

7 Every rail carrier operating within this State shall  
8 remove from its right of way at all railroad-highway grade  
9 crossings within the State, such brush, shrubbery, and trees  
10 as is reasonably practical for a distance of not less than  
11 500 feet in either direction from each grade crossing. The  
12 Commission shall have power, upon its own motion, or upon  
13 complaint, and after having made proper investigation, to  
14 require the installation of adequate and appropriate luminous  
15 reflective warning signs, luminous flashing signals, crossing  
16 gates illuminated at night, or other protective devices in  
17 order to promote and safeguard the health and safety of the  
18 public. Luminous flashing signal or crossing gate devices  
19 installed at grade crossings, which have been approved by the  
20 Commission, shall be deemed adequate and appropriate. The  
21 Commission shall have authority to determine the number,  
22 type, and location of such signs, signals, gates, or other  
23 protective devices which, however, shall conform as near as  
24 may be with generally recognized national standards, and the  
25 Commission shall have authority to prescribe the division of  
26 the cost of the installation and subsequent maintenance of  
27 such signs, signals, gates, or other protective devices  
28 between the rail carrier or carriers, the public highway  
29 authority or other public authority in interest, and in  
30 instances involving the use of the Grade Crossing Protection  
31 Fund, the Illinois Department of Transportation.

32 No railroad may change or modify the warning device  
33 system at a railroad-highway grade crossing, including  
34 warning systems interconnected with highway traffic control

1 signals, without having first received the approval of the  
2 Commission. The Commission shall have the further power,  
3 upon application, upon its own motion, or upon complaint and  
4 after having made proper investigation, to require the  
5 interconnection of grade crossing warning devices with  
6 traffic control signals at highway intersections located at  
7 or near railroad crossings within the distances described by  
8 the State Manual on Uniform Traffic Control Devices adopted  
9 pursuant to Section 11-301 of this Code. In addition, State  
10 and local authorities may not install, remove, modernize, or  
11 otherwise modify traffic control signals at a highway  
12 intersection that is interconnected or proposed to be  
13 interconnected with grade crossing warning devices when the  
14 change affects the number, type, or location of traffic  
15 control devices on the track approach leg or legs of the  
16 intersection or the timing of the railroad preemption  
17 sequence of operation until the Commission has approved the  
18 installation, removal, modernization, or modification.  
19 Commission approval shall be limited to consideration of  
20 issues directly affecting the public safety at the  
21 railroad-highway grade crossing. The electrical circuit  
22 devices, alternate warning devices, and preemption sequences  
23 shall conform as nearly as possible, considering the  
24 particular characteristics of the crossing and intersection  
25 area, to the State manual adopted by the Illinois Department  
26 of Transportation pursuant to Section 11-301 of this Code and  
27 such federal standards as are made applicable by subsection  
28 (2) of this Section. In order to carry out this authority,  
29 the Commission shall have the authority to determine the  
30 number, type, and location of traffic control devices on the  
31 track approach leg or legs of the intersection and the timing  
32 of the railroad preemption sequence of operation. The  
33 Commission shall prescribe the division of costs for  
34 installation and maintenance of all devices required by this



1 paragraph between the railroad or railroads and the highway  
2 authority in interest and in instances involving the use of  
3 the Grade Crossing Protection Fund or a State highway, the  
4 Illinois Department of Transportation.

5 Any person who unlawfully or maliciously removes, throws  
6 down, damages or defaces any sign, signal, gate or other  
7 protective device, located at or near any public grade  
8 crossing, shall be guilty of a petty offense and fined not  
9 less than \$50 nor more than \$200 for each offense. In  
10 addition to fines levied under the provisions of this Section  
11 a person adjudged guilty hereunder may also be directed to  
12 make restitution for the costs of repair or replacement, or  
13 both, necessitated by his misconduct.

14 It is the public policy of the State of Illinois to  
15 enhance public safety by establishing safe grade crossings.  
16 In order to implement this policy, the Illinois Commerce  
17 Commission is directed to conduct public hearings and to  
18 adopt specific criteria by July 1, 1994, that shall be  
19 adhered to by the Illinois Commerce Commission in determining  
20 if a grade crossing should be opened or abolished. The  
21 following factors shall be considered by the Illinois  
22 Commerce Commission in developing the specific criteria for  
23 opening and abolishing grade crossings:

- 24 (a) timetable speed of passenger trains;
- 25 (b) distance to an alternate crossing;
- 26 (c) accident history for the last 5 years;
- 27 (d) number of vehicular traffic and posted speed  
28 limits;
- 29 (e) number of freight trains and their timetable  
30 speeds;
- 31 (f) the type of warning device present at the grade  
32 crossing;
- 33 (g) alignments of the roadway and railroad, and the  
34 angle of intersection of those alignments;

1 (h) use of the grade crossing by trucks carrying  
2 hazardous materials, vehicles carrying passengers for  
3 hire, and school buses; and

4 (i) use of the grade crossing by emergency  
5 vehicles.

6 The Illinois Commerce Commission, upon petition to open  
7 or abolish a grade crossing, shall enter an order opening or  
8 abolishing the crossing if it meets the specific criteria  
9 adopted by the Commission.

10 Except as otherwise provided in this subsection (3), in  
11 no instance shall a grade crossing be permanently closed  
12 without public hearing first being held and notice of such  
13 hearing being published in an area newspaper of local general  
14 circulation.

15 (4) Freight Trains - Radio Communications. The  
16 Commission shall after hearing and order require that every  
17 main line railroad freight train operating on main tracks  
18 outside of yard limits within this State shall be equipped  
19 with a radio communication system. The Commission after  
20 notice and hearing may grant exemptions from the requirements  
21 of this Section as to secondary and branch lines.

22 (5) Railroad Bridges and Trestles - Walkway and  
23 Handrail. In cases in which the Commission finds the same to  
24 be practical and necessary for safety of railroad employees,  
25 bridges and trestles, over and upon which railroad trains are  
26 operated, shall include as a part thereof, a safe and  
27 suitable walkway and handrail on one side only of such bridge  
28 or trestle, and such handrail shall be located at the outer  
29 edge of the walkway and shall provide a clearance of not less  
30 than 8 feet, 6 inches, from the center line of the nearest  
31 track, measured at right angles thereto.

32 (6) Packages Containing Articles for First Aid to  
33 Injured on Trains. All rail carriers shall provide a package  
34 containing the articles prescribed by the Commission, on each

1 train or engine, for first aid to persons who may be injured  
2 in the course of the operation of such trains.

3 (7) Abandoned Bridges, Crossings, and Other Rail Plant.  
4 The Commission shall have authority, after notice and  
5 hearing, to order:

6 (a) The removal of any abandoned railroad tracks  
7 from roads, streets or other thoroughfares in this State;  
8 and

9 (b) The removal of abandoned overhead railroad  
10 structures crossing highways, waterways, or railroads.

11 The Commission may equitably apportion the cost of such  
12 actions between the rail carrier or carriers, public  
13 utilities, and the State, county, municipality, township,  
14 road district, or other public authority in interest.

15 (8) Railroad-Highway Bridge Clearance. A vertical  
16 clearance of not less than 23 feet above the top of rail  
17 shall be provided for all new or reconstructed highway  
18 bridges constructed over a railroad track. The Commission  
19 may permit a lesser clearance if it determines that the 23  
20 foot clearance standard cannot be justified based on  
21 engineering, operational, and economic conditions.

22 (Source: P.A. 90-691, eff. 1-1-99; 91-725, eff. 6-2-00.)

23 (625 ILCS 5/18c-7402) (from Ch. 95 1/2, par. 18c-7402)

24 Sec. 18c-7402. Safety Requirements for Railroad  
25 Operations.

26 (1) Obstruction of Crossings.

27 (a) Obstruction of Emergency Vehicles. Every  
28 railroad shall be operated in such a manner as to  
29 minimize obstruction of emergency vehicles at crossings.  
30 Where such obstruction occurs and the train crew is aware  
31 of the obstruction, the train crew shall immediately take  
32 any action, consistent with safe operating procedure,  
33 necessary to remove the obstruction. In the Chicago and

1 St. Louis switching districts, every railroad dispatcher  
2 or other person responsible for the movement of railroad  
3 equipment in a specific area who receives notification  
4 that railroad equipment is obstructing the movement of an  
5 emergency vehicle at any crossing within such area shall  
6 immediately notify the train crew through use of existing  
7 communication facilities. Upon notification, the train  
8 crew shall take immediate action in accordance with this  
9 paragraph.

10 (b) Obstruction of Highway at Grade Crossing  
11 Prohibited. It is unlawful for a rail carrier to permit  
12 any train, railroad car or engine to obstruct public  
13 travel at a railroad-highway grade crossing for a period  
14 in excess of 10 minutes, except where such train or  
15 railroad car is continuously moving or cannot be moved by  
16 reason of circumstances over which the rail carrier has  
17 no reasonable control.

18 In a county with a population of greater than 1,000,000,  
19 as determined by the most recent federal census, during the  
20 hours of 7:00 a.m. through 9:00 a.m. and 4:00 p.m. through  
21 6:00 p.m. it is unlawful for a rail carrier to permit any  
22 single train or railroad car to obstruct public travel at a  
23 railroad-highway grade crossing in excess of a total of 10  
24 minutes during a 30 minute period, except where the train or  
25 railroad car cannot be moved by reason or circumstances over  
26 which the rail carrier has no reasonable control. Under no  
27 circumstances will a moving train be stopped for the purposes  
28 of issuing a citation related to this Section.

29 However, no employee acting under the rules or orders of  
30 the rail carrier or its supervisory personnel may be  
31 prosecuted for a violation of this subsection (b).

32 (c) Punishment for Obstruction of Grade Crossing.  
33 Any rail carrier violating paragraph (b) of this  
34 subsection shall be guilty of a petty offense and fined

1 not less than \$200 nor more than \$500 if the duration of  
2 the obstruction is in excess of 10 minutes but no longer  
3 than 15 minutes. If the duration of the obstruction  
4 exceeds 15 minutes the violation shall be a business  
5 offense and the following fines shall be imposed: if the  
6 duration of the obstruction is in excess of 15 minutes  
7 but no longer than 20 minutes, the fine shall be \$500; if  
8 the duration of the obstruction is in excess of 20  
9 minutes but no longer than 25 minutes, the fine shall be  
10 \$700; if the duration of the obstruction is in excess of  
11 25 minutes, but no longer than 30 minutes, the fine shall  
12 be \$900; if the duration of the obstruction is in excess  
13 of 30 minutes but no longer than 35 minutes, the fine  
14 shall be \$1,000; if the duration of the obstruction is in  
15 excess of 35 minutes, the fine shall be \$1,000 plus an  
16 additional \$500 for each 5 minutes of obstruction in  
17 excess of 25 minutes of obstruction.

18 (d) Chronic obstruction of a grade crossing. Within  
19 the Chicago switching district, the Commission may, after  
20 investigation, make a determination that a railroad has  
21 engaged in chronic obstruction of a grade crossing. The  
22 Commission shall investigate allegations that a  
23 railroad's trains repeatedly and with great rate of  
24 recurrence obstruct a grade crossing by frequently  
25 stopping and causing disruption of vehicular traffic and  
26 endangering the lives and safety of the citizens of this  
27 State by interfering with the operation of ambulances and  
28 fire department vehicles. If, after reasonable notice and  
29 a hearing at which the railroad is entitled to be  
30 represented by counsel, present evidence, and otherwise  
31 be heard, the Commission finds probable cause to believe  
32 that, within a 2-week period, the railroad's trains have  
33 stopped traffic at a described crossing for 20 minutes or  
34 longer on 3 or more occasions, the Commission shall refer

1 the matter to the State's Attorney of the county in which  
2 the obstruction has occurred, together with any  
3 transcript, documents, and other physical evidence  
4 presented at the hearing, for prosecution for the chronic  
5 obstruction of a grade crossing within the Chicago  
6 switching district or any other indicated offense.

7 (e) Chronic obstruction of a grade crossing within  
8 the Chicago switching district. A person commits the  
9 offense of chronic obstruction of a grade crossing within  
10 the Chicago switching district if the person is a  
11 railroad officer or director whose managerial duties  
12 include the establishment, maintenance, or supervision of  
13 the railroad's routes, traffic, or timetables; or the  
14 person is a railroad officer or director whose managerial  
15 duties include the supervision of, oversight of, or  
16 responsibility for track or other railroad-related  
17 construction, maintenance, or improvements at the site of  
18 an obstructed grade crossing and:

19 (i) a train or combination of trains subject to  
20 that person's supervision, scheduling, direction, or  
21 oversight has stopped traffic within the Chicago  
22 switching district at the same railroad crossing for  
23 20 minutes or longer on 3 or more occasions within a  
24 2-week period; or

25 (ii) a train or combination of trains has  
26 stopped traffic within the Chicago switching  
27 district at the same railroad crossing for 20  
28 minutes or longer on 3 or more occasions within a  
29 2-week period due to track or other railroad  
30 construction, maintenance, or improvements subject  
31 to that person's supervision, responsibility, or  
32 oversight.

33 The railroad or railroad corporation employing that  
34 person is also liable for violations of this Section.

1           A railroad or rail carrier which operates trains or  
2           constructs, maintains, or improves track within the  
3           Chicago switching district shall be deemed to have given  
4           consent to prosecution under this Section of itself and  
5           on behalf of officers and directors subject to the  
6           provisions of this Section. The officers and directors of  
7           that railroad shall also be deemed to have given consent  
8           to their prosecution under this Section.

9           Chronic obstruction of a grade crossing within the  
10          Chicago switching district is a Class C misdemeanor for  
11          the first offense. For a second or subsequent offense at  
12          the same location the penalty is a Class B misdemeanor  
13          and the fine shall be triple the fine amount of the first  
14          offense.

15          (2) Other Operational Requirements.

16                 (a) Bell and Whistle-Crossings. Every rail carrier  
17                 shall cause a bell, and a whistle or horn to be placed  
18                 and kept on each locomotive, and shall cause the same to  
19                 be rung or sounded by the engineer or fireman, at the  
20                 distance of a least 1,320 feet, from the place where the  
21                 railroad crosses or intersects any public highway, and  
22                 shall be kept ringing or sounding until the highway is  
23                 reached; provided that at crossings where the Commission  
24                 shall by order direct, only after a hearing has been held  
25                 to determine the public is reasonably and sufficiently  
26                 protected, the rail carrier may be excused from giving  
27                 warning provided by this paragraph.

28                 (a-5) The requirements of paragraph (a) of this  
29                 subsection (2) regarding ringing a bell and sounding a  
30                 whistle or horn do not apply at a railroad crossing that  
31                 has a permanently installed automated audible warning  
32                 device authorized by the Commission under Section  
33                 18c-7402.1 that sounds automatically when an approaching  
34                 train is at least 1,320 feet from the crossing and that

1 keeps sounding until the lead locomotive has crossed the  
2 highway. The engineer or fireman may ring the bell or  
3 sound the whistle or horn at a railroad crossing that has  
4 a permanently installed audible warning device.

5 (b) Speed Limits. Each rail carrier shall operate  
6 its trains in compliance with speed limits set by the  
7 Commission. The Commission may set train speed limits  
8 only where such limits are necessitated by extraordinary  
9 circumstances effecting the public safety, and shall  
10 maintain such train speed limits in effect only for such  
11 time as the extraordinary circumstances prevail.

12 The Commission and the Department of Transportation  
13 shall conduct a study of the relation between train  
14 speeds and railroad-highway grade crossing safety. The  
15 Commission shall report the findings of the study to the  
16 General Assembly no later than January 5, 1997.

17 (c) Special Speed Limit; Pilot Project. The  
18 Commission and the Board of the Commuter Rail Division of  
19 the Regional Transportation Authority shall conduct a  
20 pilot project in the Village of Fox River Grove, the site  
21 of the fatal school bus accident at a railroad crossing  
22 on October 25, 1995, in order to improve railroad  
23 crossing safety. For this project, the Commission is  
24 directed to set the maximum train speed limit for  
25 Regional Transportation Authority trains at 50 miles per  
26 hour at intersections on that portion of the intrastate  
27 rail line located in the Village of Fox River Grove. If  
28 the Regional Transportation Authority deliberately fails  
29 to comply with this maximum speed limit, then any entity,  
30 governmental or otherwise, that provides capital or  
31 operational funds to the Regional Transportation  
32 Authority shall appropriately reduce or eliminate that  
33 funding. The Commission shall report to the Governor and  
34 the General Assembly on the results of this pilot project



1 in January 1999, January 2000, and January 2001. The  
2 Commission shall also submit a final report on the pilot  
3 project to the Governor and the General Assembly in  
4 January 2001. The provisions of this subsection (c),  
5 other than this sentence, are inoperative after February  
6 1, 2001.

7 (3) Report and Investigation of Rail Accidents.

8 (a) Reports. Every rail carrier shall report to the  
9 Commission, by the speediest means possible, whether  
10 telephone, telegraph, or otherwise, every accident  
11 involving its equipment, track, or other property which  
12 resulted in loss of life to any person. In addition,  
13 such carriers shall file a written report with the  
14 Commission. Reports submitted under this paragraph shall  
15 be strictly confidential, shall be specifically  
16 prohibited from disclosure, and shall not be admissible  
17 in any administrative or judicial proceeding relating to  
18 the accidents reported.

19 (b) Investigations. The Commission may investigate  
20 all railroad accidents reported to it or of which it  
21 acquires knowledge independent of reports made by rail  
22 carriers, and shall have the power, consistent with  
23 standards and procedures established under the Federal  
24 Railroad Safety Act, as amended, to enter such temporary  
25 orders as will minimize the risk of future accidents  
26 pending notice, hearing, and final action by the  
27 Commission.

28 (Source: P.A. 91-675, eff. 6-1-00; 92-284, eff. 8-9-01.)

29 Section 99. Effective date. This Act takes effect upon  
30 becoming law."