

Date of Hearing: March 20, 2017

**ASSEMBLY COMMITTEE ON TRANSPORTATION**

Jim Frazier, Chair

AB 695 (Bocanegra) – As Introduced February 15, 2017

**SUBJECT:** Avoidance of on-track equipment

**SUMMARY:** Adds on-track equipment, as defined, to the requirements for vehicles or pedestrians to safely cross a railroad, rail transit grade crossing, or a railroad grade crossing in a specified manner. Specifically, **this bill:**

- 1) Adds on-track equipment to the requirements for a driver of a vehicle or a pedestrian approaching a railroad or rail transit grade crossing to stop not less than 15 feet from the nearest rail and to not proceed until he or she can do safety under specific conditions.
- 2) Adds on-track equipment to the requirements for specific vehicles, such as school buses and certain commercial vehicles, to stop not less than 15 nor more than 50 feet from the nearest rail of the track and listen and look both directions along the track before proceeding safely.
- 3) Defines on-track equipment as any locomotive or any other car, rolling stock, equipment, or other device, that alone or coupled to others, is operated on stationary rails.

**EXISTING LAW:**

- 1) Requires a driver of a vehicle or pedestrian approaching a railroad or rail transit grade crossing to stop not less than 15 feet from the nearest rail and to not proceed until he or she can do so safely when a clearly visible electric or mechanical signal device or a flagman gives warning of the approach or passage of a train or car; or an approaching train or car is plainly visible or is emitting an audible signal and is an immediate harm.
- 2) Requires the driver of specific types of vehicles, such as a school bus or certain commercial vehicles, to stop a vehicle not less than 15 nor more 50 feet from the nearest rail of the track to listen and look in both directions along the track for an approaching train or for signals of an approaching train and to not proceed until he or she can do so safely.
- 3) Requires the driver of a commercial vehicle, other than those defined, that upon approaching a railroad grade crossing to drive at a rate of speed that allows the vehicle to stop before reaching the nearest rail of that crossing and should not cross until due caution is taken.

**FISCAL EFFECT:** Unknown

**COMMENTS:** Current law requires motorists and pedestrians to stop at railroad and rail transit crossings when there are gates or warnings that a train is approaching or when an approaching train can be seen or a warning signal can be heard. Additionally, current law requires certain specialty vehicles, such as school buses and commercial carriers, to stop at all rail and rail transit grade crossings to look and listen for a train before proceeding through the crossing. However, current law is not clear that motorists and other vehicles must also stop at a safe distance when on-track rail equipment, such as a road rail vehicle or ballast cleaner, approaches and crosses an intersection. The author asserts that this lack of parity between trains and train-like on-track

equipment have led to motorists to drive around safety arms and ignore lights when they see something other than a train. This bill will make it clear that vehicles must also stop for on-track equipment and trains alike.

In writing in support of the bill, the California Labor Federation states that rail workers use heavy equipment to maintain and repair the tracks that travels on the rails just like a train. Often, drivers and pedestrians think it's safe to cross tracks when maintenance equipment is present. Even when rail crossing warnings are activated, drivers will go around the gates creating a dangerous situation for them and rail workers maintaining the tracks.

Freight is essential to California's economy. California's land, air, and sea ports of entry serve as key commercial gateways for the movement of more than \$500 billion worth of products year. Much of these products are transported via rail throughout the state. Additionally, California continues to encourage and support the expansion of public transportation systems to meet the needs of the travelling public and the state's air quality goals. Updating the state's traffic laws to improve rail safety will help enhance their success and the safety of the public.

**REGISTERED SUPPORT / OPPOSITION:****Support**

BNSF Railway  
California Labor Federation  
California Short Line Railroad Association  
California Teamsters Public Affairs Council  
Genesee & Wyoming Railroad Services, Inc.  
Union Pacific Railroad

**Opposition**

None on file

**Analysis Prepared by:** Melissa White / TRANS. /