

MAINE STATE LEGISLATURE

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(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1133

H.P. 842 House of Representatives, April 7, 1987
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Transportation suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative RUHLIN of Brewer.
Cosponsored by Representatives DUFFY of Bangor, STROUT of
Corinth and Senator DOW of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Ensure Rail Safety When Operating
2 a Freight Train without a Caboose.
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 23 MRSA §4218, sub-§2-A is enacted to read:

7 2-A. Caboose. A caboose is not required on
8 freight trains, if all the following conditions are
9 satisfied:

10 A. Flag protection against following trains on
11 the same track is not required;

12 B. The track route is equipped with wayside
13 overheated journal and dragging equipment detec-

1 tors located along that route, at intervals not
2 exceeding 30 miles in distance, which are able to
3 communicate directly to the train's operating
4 crew, information related to the safety of that
5 train's operation, including acknowledgement of
6 the train's presence at the detector, the nature
7 of defect found and the location within the train
8 of any defect detected;

9 C. The track route is equipped with high or
10 shifted load detectors in advance of locations
11 where it can reasonably be foreseen that a high
12 or shifted load could cause an unsafe condition
13 when moving through such locations;

14 D. There is an operating telemetry device lo-
15 located on the trailing end of the rearmost car ca-
16 pable of communicating the following information
17 to the locomotive engineer:

18 (1) Motion;

19 (2) Brakepipe pressure; and

20 (3) Power condition of the transmitting de-
21 vice;

22 E. There is a counting device which enables the
23 locomotive engineer to ascertain the length of
24 the train; and

25 F. There are no cars containing open top loads
26 which exceed the railway's line clearances, as
27 published annually by the National Railway Publi-
28 cation Company in their publication Railway Line
29 Clearances, placed farther than 2,000 feet behind
30 the controlling locomotive.

31 Each railroad corporation operating in the State
32 shall comply with the provisions of this subsection
33 no later than 6 months after the effective date of
34 this subsection.

35 Any person or railroad corporation who fails to com-
36 ply with this subsection commits a civil violation
37 for which a forfeiture of \$200 may be adjudged for
38 each violation.

1 STATEMENT OF FACT

2 The purpose of this bill is to ensure to some de-
3 gree the safety of the citizens who work or reside
4 near railroads from being exposed to unnecessary
5 risks, by establishing those conditions which must be
6 met to operate a train without a caboose.

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