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PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAFETY DIVISION  
Railroad Safety Branch

RESOLUTION SR-53  
June 23, 1993

R E S O L U T I O N

RESOLUTION SR-53. REGULATION REQUIRING MINIMUM INSPECTION STANDARDS BY THE SAFETY DIVISION FOR CLASS 1 RAILROAD LOCOMOTIVES, EQUIPMENT, FACILITIES AND BRANCH AND MAIN LINE TRACK WITHIN THE STATE OF CALIFORNIA.

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SUMMARY

Chapter 763, Section 4, of the Statutes of 1991 added Section 765.5(f) to the Public Utilities Code which requires the Commission to establish, by regulation, a minimum inspection standard to ensure that railroad locomotives, equipment and facilities located in Class 1 railroad yards in California are inspected not less frequently than every 180 days and that all branch and main line track will be inspected not less frequently than every 12 months.

In addition, Chapter 764, Section 2, of the Statutes of 1991 added Section 309.7(b) to the Public Utilities Code which requires the Commission to employ sufficient federally certified inspectors to ensure that railroad locomotives and equipment and facilities located in Class I railroad yards in California are inspected not less frequently than every 180 days, and inspection of all main and branch line track not less frequently than every 12 months.

DISCUSSION

In July 1991 two very serious railroad accidents occurred involving hazardous/toxic substances within California, which resulted in substantial environmental damage, the closure of an interstate freeway for several days, and threatened the health and safety of thousands of California's residents and visitors. Both accidents occurred in recreational areas.

Commission Safety Division staff began immediate onsite investigations in each case to determine the cause of these accidents. Further, the Commission instituted a formal investigation (I.91-08-029) into the involved carriers' operations, and recommendations for improvements in state or federal laws or regulations. The hearings have been held and the matter has been submitted to the Administrative Law Judge for consideration.

Public concern over these rail accidents resulted in Legislative action which, among other things, requires a minimum inspection standard be established for Safety Division staff's oversight and monitoring of the railroads to ensure continuing compliance with state and federal rail safety laws and regulations.

The Railroad Safety Branch of the Safety Division has developed an inspection plan which identifies railroad branch and mainline track to be inspected at least once every 12 months and an inspection point plan identifying locations for inspections of locomotives, equipment and facilities at least once every 180 days.

The Railroad Safety Branch is now staffed with three certified railroad track inspectors (with one additional track inspector in training) and five certified railroad equipment inspectors (with one additional equipment inspector in training). With this staffing the Safety Division in 1993 will meet the minimum inspection standards as required by Section 765.5(f).

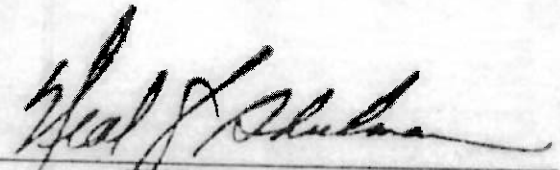
FINDINGS

1. Chapter 763, Section 4, of the 1991 California Statutes added Public Utilities Code Section 765.5(f) which requires the establishment, by regulation, of a minimum inspection standard for Class 1 railroad locomotives, equipment and facilities, and inspection of all branch and mainline tracks.
2. The Railroad Safety Branch of the Safety Division has developed an inspection plan which identifies railroad branch and mainline track to be inspected at least once every 12 months and identifies locations for inspection of locomotives, equipment and facilities at least once every 180 days.
3. Adoption of this minimum inspection plan will meet the requirements of Public Utilities Code Section 765.5(f), promote railroad safety, and serve the public need.
4. The Railroad Safety Branch of the Safety Division now has sufficient federally certified track and equipment inspectors to implement its inspection plan.

**THEREFORE, IT IS ORDERED that:**

- (1) The Railroad Safety Branch of the Safety Division shall conduct inspections at the identified locations, as well as any other locations deemed appropriate, and inspect all branch and mainline tracks as identified in its inspection plan at a frequency rate not less than that prescribed by Public Utilities Code Section 765.5(f).
- (2) The inspection plan shall be reviewed annually by the Safety Division to ensure the inclusion of any/all new facilities, inspection points, rail lines, and equipment.
- (3) Any/all facilities, inspection points, rail lines, and equipment identified by the Safety Division subsequent to the adoption of this resolution shall be subject to the same inspection requirements.
- (4) The Railroad Safety Branch of the Safety Division shall maintain sufficient certified railroad inspectors to perform the minimum inspection standards of railroad facilities and equipment as prescribed by Public Utilities Code Section 765.5(f).
- (5) The effective date of this Resolution is today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on June 23, 1993. The following Commissioners approved it:

  
NEAL J. SHULMAN  
Executive Director

DANIEL Wm. FESSLER  
President  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
P. GREGORY CONLON  
Commissioners