

CLERK: Mr. President, Senator Wesely has an amendment to the bill and I believe it has been distributed on the floor.

SPEAKER MARVEL: The Chair recognizes Senator Wesely.

SENATOR WESELY: Yes, Mr. Speaker, members of the Legislature, this is the amendment that I just referred to. It was just distributed. It was considered by the committee last year. There was some confusion about the bill and the problem at hand and I will try and go through that very briefly. Essentially we have two statutes in the law presently that require the same thing. They are exactly the same sections of law and we want to eliminate one of those sections. We don't need two sections for the law. So that is part of this amendment and part of the bill then. The other section of the law, and it is the same section again referring back to that, requires that when there is an accident or injury involving a railroad at a crossing, or what have you, a report has to be filled out and sent to the Public Service Commission and also a copy of a report that has to go to the Interstate Commerce Commission, has also got to be filed with the Public Service Commission. Well, this statute is just basically outdated. The Interstate Commerce Commission no longer receives these reports I just referred to and so those reports now go to the Federal Railroad Administration. So this updates and refers back to the Federal Railroad Administration instead of the Interstate Commerce Commission. It also makes it a little clearer what sort of accidents or injuries have to be reported and also requires that the Public Service Commission investigate the accident, make a report and then file the copy of the report that the FRA would receive. All this is basically is an information gathering process and we are trying to clarify that process. The Public Service Commission would then take the information that I just referred to and they use it for a couple of things. First off, they have track and equipment safety inspectors that would go out, inspect where these accidents took place and look at them and if there needs to be changes made they can make those or somehow make a report on the problem that gave cause to the accident or injury. Also, this information is used to compile statistics that the Roads Department then uses on dealing with crossing accidents and improvements on railroad crossings and what have you, and so for those two purposes this information is needed. The bill... this amendment, if it becomes the bill, is supported by both the Public Service Commission and the railroads. The railroads are in support of this change and so is the Public Service Commission. It is not very frequent that