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Final Analysis
Legislative Service Commission

Am. H.B. 607
123rd General Assembly
(As Passed by the General Assembly)

Reps. Robinson, Bender, Damschroder, Olman, Patton, Mettler, Clancy, Tiberi, Cates, Hartnett, Verich, Goodman, O'Brien, Brading, Buehrer, Jolivette, Hoops, Mead, Grendell, Logan, Redfern, Roman, A. Core, Willamowski, Gooding, Roberts, Hollister, Barnes, Harris, Schuler, D. Miller, Stevens, Kilbane, Salerno

Sens. Armbruster, Johnson, Mumper, Spada

Effective date: *

ACT SUMMARY

- Permits the Public Utilities Commission to approve the use of an audible warning system as an alternative to the whistle and bell otherwise required under law to warn of an approaching locomotive engine, but only if it determines that the alternative audible warning system complies with applicable federal requirements and only at crossings that also have train-activated protective devices.
- If the Commission approves the use of an alternative audible warning system, permits such a system to be sounded in lieu of a whistle and bell when a locomotive approaches any type of crossing.

CONTENT AND OPERATION

The sounding of an audible warning by a locomotive

Continuing law requires every railroad locomotive to be equipped with a bell and a steam or compressed air whistle. When an engine approaches a public crossing, or a private crossing where the view of the crossing is obstructed, the person in charge of the engine must sound the whistle at a distance of between 80

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

and 100 rods from the crossing and ring the bell continuously until the engine passes the crossing. (R.C. 4955.32.) (See **COMMENT 1.**)

Under the act, in lieu of sounding a whistle and ringing a bell, an alternative audible warning system could be activated when an engine approaches a public or obstructed private crossing, if an alternative system is approved by the Public Utilities Commission (R.C. 4955.32(B)(2)). (See **COMMENT 2.**)

The act states that the establishment of an alternative audible warning system does not preclude the sounding of a whistle by a person in charge of an engine in an emergency situation, as determined by the sole judgment of that person (R.C. 4955.32(D)).

Alternative warning systems and the Public Utilities Commission

The act permits the Public Utilities Commission to evaluate alternative systems for providing an audible warning of an approaching locomotive engine. It may approve the use of an audible warning system as an alternative to the whistle and bell otherwise required under law, but *only* if it determines that the alternative audible warning system complies with applicable federal requirements for an audible warning of an approaching train and only if train-activated warning devices (for example, gates and lights) also are present at any crossing at which the alternative audible warning system is installed. The Commission must establish guidelines for the use and operation of any alternative audible warning system it approves. (R.C. 4955.321.)

COMMENT

1. A rod is 16.5 linear feet; therefore, 80 to 100 rods equals 1,320 to 1,650 feet, or 440 to 550 yards.

2. An example of an alternative audible warning system is a system of warning horns that are installed at the grade crossing and sound automatically when the crossing gates and flashing lights are activated.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	03-15-00	pp. 1649-1650
Reported, H. Transportation & Public Safety	04-11-00	pp. 1798-1799
Passed House (94-0)	04-12-00	p. 1815



Reported, S. Highways & Transportation	05-24-00	p.	1812
Passed Senate (32-0)	05-25-00	p.	1870

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