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State of Wisconsin \ PUBLIC SERVICE COMMISSION

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JOHN F. GOETZ, SECRETARY
HILL FARMS STATE OFFICE BUILDING
MADISON, WISCONSIN 53702

FILE NO. 2-R-2509

April 1, 1974


Investigation on Motion of the Commission
of Proposed Revision of Railroad Accident
Reporting Requirements

James J. Burke
Revisor of Statutes
State Capitol
Madison, Wisconsin 53702

Dear Mr. Burke:

Pursuant to section 227.023, Wisconsin Statutes, we are enclosing a certified copy of amendments and repeal of sections in Wis. Adm. Code Chapters PSC 8 and 72, following procedures set forth in sections 227.021 and 227.022, Wisconsin Statutes.

Very truly yours,


John F. Goetz
Secretary

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN


STATE OF WISCONSIN)
) SS
PUBLIC SERVICE COMMISSION)

I, John F. Goetz, Secretary of the Public Service Commission of Wisconsin and legal custodian of the official records of said Commission, do hereby certify under my signature and official seal of the Commission that the attached amendment and repeal of rules in Wis. Adm. Code relating to reporting railroad accidents were duly approved and adopted by order of February 4, 1974.

I further certify that the copy of the amendment and repeal of rules has been compared by me with the original on file in this Commission and that the same is a true copy thereof.

Dated at Madison, Wisconsin

April 1, 1974



John F. Goetz
Secretary

ORDER OF THE PUBLIC SERVICE COMMISSION

AMENDING AND REPEALING RULES

Pursuant to authority vested in the Public Service Commission by section 195.34, Wis. Stats., the Public Service Commission repeals and amends rules as follows:

Section PSC 8.06(2) of the WISCONSIN ADMINISTRATIVE CODE is repealed.

Sections PSC 72.01, PSC 72.02(2), PSC 72.03(1a) and (2), and PSC 72.04(2) of the WISCONSIN ADMINISTRATIVE CODE are repealed.

Sections PSC 72.02(1) and (3), PSC 72.03(1), PSC 72.04(1) and (3), and PSC 72.05 of the WISCONSIN ADMINISTRATIVE CODE are amended to read:

PSC 72.02 NONTRAIN, TRAIN, AND TRAIN-SERVICE ACCIDENT REPORTS. (1) Upon occurrence of any accident in Wisconsin involving a railroad, other than at a grade crossing, resulting in death, a report shall be made to the Commission as soon as practicable but not later than within 24 hours of the occurrence or before 4 p.m. of the first business day following the occurrence.

(3) Any rail movement accident which causes in excess of \$1,500 damage to railroad facilities and/or to rolling stock shall be reported to the Commission as soon as practicable but not later than within 24 hours of the occurrence or before 4 p.m. of the first business day following the occurrence. The commission shall also be notified of the time and place of any hearing to be held to inquire into the cause or causes of the accident.

PSC 72.03 MONTHLY REPORTS. (1) The Federal Department of Transportation in accordance with Title 49 of the Code of Federal Regulations "Rules Governing the Monthly Reports of Railroad Accidents" requires each railroad company to submit a monthly report of railroad accidents. Each railroad company operating in Wisconsin shall submit a copy of these reports applicable to its Wisconsin operation on or before the filing date as required by federal regulation.

PSC 72.04 GRADE-CROSSING ACCIDENT REPORTS. (1) Upon the occurrence of any accident at a railroad-highway grade crossing, regardless of the extent of personal injury or property damage, a report of such accident on the form prescribed by the Commission in Wis. Adm. Code section PSC 72.05 shall be filed with the Commission within 30 days after the occurrence of said accident except that if such accident results in death or serious injury, a report of such accident shall also be made to the Commission by the railroad company concerned within 24 hours of the occurrence or before 4 p.m. of the first business day following the occurrence.

NOTE: The term "serious injury" as used herein means an injury of such nature that loss of life or permanent disability may be reasonably expected as a result of an injury sustained.

(3) Compliance with subsection (1), above, is required of all persons as defined by section 990.01(26), Wis. Stats., which move, or cause to be moved, equipment by rail across or on a public way or thoroughfare over tracks owned by a railroad or tracks directly or indirectly physically connected with tracks of any common carrier by rail, whether such tracks are owned by a railroad or are owned by any other person as defined by section 990.01 (26), Wis. Stats.

PUBLIC SERVICE COMMISSION

PSC 72.05 Accident report form under Wis. Adm. Code section PSC 72.04

PUBLIC SERVICE COMMISSION OF WISCONSIN
GRADE CROSSING ACCIDENT REPORT

1. Railroad _____ Crossing number _____
2. Place of accident _____
3. Name of street or highway number _____
4. Date of accident _____ Hour _____ A.M. _____ P.M. _____
5. Names of highway travelers involved _____

Number killed: _____ Number injured: _____
6. Highway traffic involved:
Automobile _____ Truck _____ Other vehicle _____ Pedestrian _____
7. Tr. hit veh. _____ Veh. hit tr. _____ (Part of Tr. hit _____)
8. Approximate speed of approaching highway vehicle _____ MPH
Direction moving (compass direction _____)
9. Weather and visibility:
Daylight _____ Dark _____ Twilight _____
Clear _____ Cloudy _____ Foggy _____ Raining _____ Snowing _____ Sleetng _____
10. Condition of pavement: Wet _____ Dry _____ Covered with snow _____ Ice _____
11. Railroad traffic involved:
Pass Tr. _____ Frt. Tr. _____ Sw. M. _____ Other _____ Tr. Speed _____ MPH
Backing up _____ Moving ahead _____ Compass direction of tr. movement _____
12. Crossing protection: _____

13. Describe obstructions to view, permanent or transitory. _____

(Building, trees, cars near crossing, vegetation, snowbanks, etc.)

PUBLIC SERVICE COMMISSION OF WISCONSIN
GRADE CROSSING ACCIDENT REPORT, continued

14. Describe any other rail traffic taking place in the immediate vicinity at the time or just prior to the accident. _____

15. Approximate angle of crossing in degrees _____

16. Further particulars _____
(Curved approach, steep approach grade, two-train type accident,
etc. Use reverse side if necessary.)

Report submitted by _____ Person


_____ Title

Date of Report _____

The amendments and repeals contained herein shall take effect on May 1, 1974 as provided in section 227.026(1)(intro. par.), Wis. Stats.

Dated: April 1, 1974

PUBLIC SERVICE COMMISSION


John F. Soetz
Secretary