

## Chapter PSC 72

## REPORTING RAILROAD ACCIDENTS

PSC 72.02	Nontrain, train, and train-service accident reports	PSC 72.04	Grade-crossing accident reports
PSC 72.03	Monthly reports	PSC 72.05	Accident report form under section PSC 72.04

**PSC 72.01 Rules and questionnaire for reporting railroad accidents.**  
**History:** 1-2-56; r. Register, May, 1974, No. 221, eff. 6-1-74.

**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.

**History:** 1-2-56; renum. from PSC 72.03; am. (2), Register, March, 1957, No. 15, eff. 1-1-57; r. and recr. (2); cr. (3), Register, December, 1960, No. 60, eff. 1-1-61; am. (2), Register, August, 1961, No. 68, eff. 9-1-61; r. (2); am. (1) and (3), Register, May, 1974, No. 221, eff. 6-1-74.

**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.

**History:** 1-2-56; renum. from PSC 72.04, Register, March, 1957, No. 15, eff. 4-1-57; am (1), Register, August, 1961, No. 68, eff. 9-1-61; r. (1a) and (2); am. (1), Register, May, 1974, No. 221, eff. 6-1-74.

**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

Register, May, 1974, No. 221

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.

**History:** 1-2-56; renum. from 72.02, am. (2), Register, March, 1957, No. 15, eff. 4-1-57; cr. (3), Register, January 1968, No. 145, eff. 2-1-68; r. (2); am. (1) and (3), Register, May, 1974, No. 221, eff. 6-1-74.

**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.)
  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 \_\_\_\_\_

**History:** 1-2-56; am. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, May, 1974, No. 221, eff. 6-1-74.

**PSC 72.06 Instructions for reverse side of form. History:** 1-2-56; r. Register, March, 1957, No. 15, eff. 4-1-57.

Register, May, 1974, No. 221