



---

---

## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

---

---

**2005 Wisconsin Act 179**  
[2005 Assembly Bill 588]

**Revision of Railroad Regulation  
Statutes**

2005 Wisconsin Act 179: (1) repeals many provisions of state law relating to railroad regulation that may be inconsistent with federal law; and (2) modernizes certain provisions of state law. These provisions, with some exceptions, are found in chapters 189 to 192 and 195 of the statutes.

The Act:

1. Repeals provisions related to economic regulation of railroads, including various provisions related to railroad fares, rates, and charges, adequacy of service, filing requirements, furnishing of rolling equipment, and issuance of corporate securities.
2. Repeals various provisions related to regulation of railroad construction and facilities, including provisions related to removing a station or depot, industrial spur tracks, adequacy of depots, transfer and switching facilities, elevators and warehouse facilities, and relocating a highway.
3. Repeals various provisions related to railroad safety, including provisions related to train speed, whistles, and horns at railroad-highway crossings, qualifications of certain railroad personnel, and equipment requirements, and makes changes related to persons getting on or off moving trains or crossing railroad tracks.
4. Changes penalties for certain offenses from imposition of a fine or incarceration (criminal penalties) to imposition of a forfeiture (civil penalty).
5. Makes certain changes related to the duties and roles of the Wisconsin Department of Transportation and the Office of the Commissioner of Railroads (OCR) related to railroad regulation.
6. Specifies that all orders issued by the OCR, including any order requiring the placement of any crossing protection device or official traffic control device, that are in effect on the effective date of the Act, remain in effect until their specified expiration date or until modified or rescinded by the OCR.

---

---

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

***Effective Date:*** Act 179 takes effect on April 6, 2006. The Act first applies to railroad activities and operations occurring on that date.

***Prepared by:*** Don Salm, Senior Staff Attorney

March 28, 2006

DLS:jal