

Notice of public hearing on proposed administrative regulation set for July 17

A public hearing will take place at 9 a.m. on Monday, July 17, at the Eisenhower State Office Building (ESOB), 700 SW Harrison Street, in Topeka to consider the adoption of a proposed rule and regulation of the Department of Transportation on a permanent basis regarding railroad crew requirements.

The hearing will be in Auditorium A on the fourth floor of ESOB. Oral comments may be limited to five minutes. Interested parties may also attend the hearing via Zoom and comment by registering at the following link: https://zoom.us/webinar/register/WN_zYtFv-fGTfCKFR6CtQqQJg.

A copy of the proposed regulation and the Economic Impact Statement for the proposed regulation can be viewed online at <https://www.ksdot.gov/>. A summary of the proposed regulation and its economic impact follows:

K.A.R. 36-43-1 – Crew requirements; exceptions. This is a new regulation that identifies the minimum crew requirements for railroads operating in the State of Kansas with six exceptions.

Nearly all railroads in Kansas are currently operating with two-person crews and will have no increased labor costs from the implementation of the proposed regulation. The primary economic effect for the few railroads operating one-person crews would be the labor. However, railroads operating with a one-person crew may see reduced accidents, which will likely reduce operating costs and may offset any increased labor costs.

It is anticipated that some portion of any additional railroad operating costs, based on two-person crews, may be passed on to railroad customers. It is unknown to what degree this would occur, or the potential dollar amounts involved. Additionally, it would be expected that operating with a two-person crew would have a positive impact on various governmental entities due to more disposable income, purchases and associated sales tax in local economies.

This notice constitutes the opening of the public comment period, which ends on July 17, on the proposed rule and regulation. Written comments prior to the hearing can be sent to the Office of Chief Counsel, 700 SW Harrison Street, 3rd Floor West, Topeka, Kansas 66603, or by e-mail to emily.brown@ks.gov.

If you require accommodations to attend the meeting or require the proposed regulation and economic impact statement to be provided in an accessible format, contact Emily Brown at (785) 296-3831/emily.brown@ks.gov or call the Kansas Relay Center at 1-800-766-3777. Requests should be made at least five working days in advance of the hearing. Handicapped parking is located in the lot north of ESOB, and the building's north entrance is the public entrance and is handicap accessible.

For more information, contact Emily Brown, emily.brown@ks.gov, or Michael Espinoza, Michael.Espinoza@ks.gov.