

Date of Hearing: June 10, 2026

ASSEMBLY COMMITTEE ON UTILITIES AND ENERGY
Cottie Petrie-Norris, Chair
SB 667 (Archuleta) – As Amended June 3, 2026

SENATE VOTE: 26-11

SUBJECT: Railroads: safety: report

SUMMARY: Requires the California Public Utilities Commission (CPUC) on or before July 1, 2029, to review railroad sites classified as Local Safety Hazard Sites (LSHS) and determine whether changes in conditions, operations, or safety data warrant the removal, modification, or addition of any site.

EXISTING LAW:

- 1) Defines a “public utility” as every common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, and heat corporation. Existing law provides the CPUC with authority to regulate public utilities. (Public Utilities Code § 216)
- 2) Specifies that the definition of a “common carrier” includes every railroad corporation, street railroad corporation, and specified car corporation accepting compensation for transportation. (Public Utilities Code § 211)
- 3) Defines “railroad corporation” as every corporation or person owning, controlling, operating, or managing any railroad for compensation within the state. (Public Utilities Code § 230)
- 4) Creates the Rail Safety Division (RSD) of the CPUC to be responsible for inspection, surveillance, and investigation of the rights-of-way, facilities, equipment, and operations of railroads and public mass transit guideways, and for enforcing state and federal laws, regulations, orders, and directives relating to transportation of persons or commodities, or both, of any nature or description by rail. (Public Utilities Code § 309.7)
- 5) Requires the CPUC to annually report to the legislature on sites on railroad lines in the state it finds to be hazardous. These sites are classified by the CPUC as LSHS. (Public Utilities Code § 916.2)

FISCAL EFFECT: Unknown. The contents of this bill were entirely removed, with new provisions added; therefore, the fiscal estimates from the Senate are no longer an accurate reflection of this bill’s predicted costs. It will be referred to the Assembly Committee on Appropriations for its review, if passed out of this committee.

BACKGROUND:

What are Local Safety Hazard Sites? In 1993, the CPUC opened a rulemaking¹ to consider mitigations for local rail safety hazards within California. This rulemaking was prompted by a series of derailments, runaway trains, injuries and fatalities in the few years prior, including disastrous derailments and toxic spills at Dunsmuir² and Seacliff³, California in 1991. Around the same time, the Legislature also passed a bill⁴ that required the CPUC to enact a comprehensive system review to identify railroad sites that were local safety hazards and mandated that the CPUC adopt regulations to prevent serious rail accidents at these sites.

In a 1997 decision,⁵ the CPUC identified 19 local safety hazard sites in California using statistical methods and models to analyze site characteristics and accident concentrations and thus established Local Safety Hazard Sites (LSHS) as they stand today. The following factors were considered when establishing LSHS and remain considerations in statute to date:⁶

1. Severity of grade and curve of track.
2. Value of special skills of train operators in negotiating the particular segment of railroad line.
3. Value of special railroad equipment in negotiating the particular segment of railroad line.
4. Types of commodities transported on or near the particular segment of railroad line.
5. Hazard posed by the release of the commodity into the environment.
6. Value of special railroad equipment in the process of safely loading, transporting, storing, or unloading potentially hazardous commodities.
7. Proximity of railroad activity to human activity or sensitive environmental areas.
8. A list of the root causes and significant contributing factors of all train accidents or derailments investigated.

This decision by the CPUC regarding LSHS was heavily litigated, in part because it imposed new safety requirements on rail companies, which was deemed to be a preemption of federal law.⁷ The CPUC lost this case, and as a result had to reverse nearly all new safety requirements on rail companies associated with the LSHS designation. In other words, today the LSHS designation does not trigger any mandatory action by a rail company. However, the CPUC does maintain the authority to enforce the rail companies' own rules at these sites, such as train make-up. The identification of these sites is meant to produce enhanced scrutiny and encourage safer passage via increased safety precautions from the rail companies.

¹ R.93.10.002

² <https://www.sfgate.com/bayarea/article/shasta-california-chemical-spill-17786445.php>

³ <https://www.latimes.com/archives/la-xpm-1991-07-29-me-203-story.html>

⁴ AB 151, Chapter 763, Statutes of 1991

⁵ D.97-09-045

⁶ Public Utilities Code § 916.2

⁷ *Union Pacific Railroad Co. v. CPUC*, 346 F.3d 851 (9th Cir. 2003.)

Almost 30 years following the original CPUC decision, the same 19 LSHS remain. These sites represent 366 miles out of approximately 5,881 miles of track in California and result in about 10% of all derailments in the state.⁸

COMMENTS:

- 1) *Author's statement.* According to the author, "Train accidents represent a persistent challenge to rail safety in the United States, with thousands of incidents occurring annually across the nation's extensive rail network. SB 667 takes a measured approach to enhance public safety by requiring the CPUC to review the list of eighteen railroad local safety hazard sites across California in its annual report to the legislature. The CPUC will include an evaluation of each site on the list and determine whether changes in conditions, operations, or safety data warrant the removal, modification, or addition of any site. This will allow California to identify issues with current operations at these sites, while also providing insight into how California can improve rail safety in the highest-risk corridors."
- 2) *Purpose of the bill.* The goal of this bill is to make updated determinations of LSHS in the state, as determined by the CPUC. As noted, these sites have not been updated since 1997, despite being within CPUC's authority to do so. It is possible these designated sites are largely unchanged since their establishment. LSHS are, in part, a reflection of physical challenges of rail lines such as the severity of grade and the curve of track or the need for special skills or equipment to negotiate a segment of railroad line. However, due to a myriad of reasons, including climate change, population growth, and technological advancements, an update to the state's designated LSHS is much overdue. This bill directs the CPUC to conduct this update and provide to the legislature a determination on any modifications needed to these designated sites.

- 3) *Prior Legislation.*

SB 544 (Laird) authorizes CPUC to establish an expedited review and approval process for railroad crossing applications that are uncontested and do not need additional review or evidentiary hearings. Status: Chapter 224, Statutes of 2025.

SB 757 (Archuleta) clarifies licensing requirements for rail crew transportation providers, prohibits certain subcontracting for these services, and increases minimum insurance requirements for rail crew transportation operators. Status: Chapter 411, Statutes of 2023.

SB 506 (Laird) requires CPUC to create a pilot project to test the use of color pavement markings at at-grade highway-railroad crossings, to the extent permitted by federal law. Status: Chapter 288, Statutes of 2023.

SB 730 (Wolk) prohibits a freight train from being operated in California unless it has a crew consisting of at least two individuals, as specified. Status: Chapter 283, Statutes of 2015.

⁸ P. 41, CPUC Annual Railroad Safety Report, 2025, <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/rail-safety-division/documents/annual-reports/arsr-to-the-csl-113025--fml.pdf>

REGISTERED SUPPORT / OPPOSITION:

This bill was significantly amended on June 3rd; therefore, the following support positions may not be an accurate reflection of the bill now in print. Updated letters were received from opposition groups, moving their opposition to neutral following the amendments.

Support

California Federation of Labor Unions, Afl-cio
California Professional Firefighters
California School Employees Association

Opposition

None on file.

Other

African American Farmers of California
Agricultural Council of California
Almond Alliance
Almond Alliance of California
Arizona & California Railroad Company
Bay Area Council
Bnsf Railway
Boma California
California Business Properties Association
California Business Roundtable
California Chamber of Commerce
California Cotton Ginners & Growers Association
California Cotton Ginners and Growers Association
California Farm Bureau
California Forestry Association
California Forestry Association
California Fresh Fruit Association
California Grain and Feed Association
California Manufacturers and Technology Association
California Northern Railroad Company
California Retailers Association
California Retailers Association
California Short Line Railroad Association
Capitol Corridor Joint Powers Authority
Central Oregon & Pacific Railroad INC.
Genesee & Wyoming Railroad Services, INC.
Naiop California
Naiop of California
Nisei Farmers League
Pacific Coast Renderers Association
Pacific Egg and Poultry Association
Pacific Merchant Shipping Association

San Diego & Imperial Valley Railroad Company, INC.
San Joaquin Valley Railroad Company
Southern California Leadership Council
Supply Chain Federation
Union Pacific Railroad
Ventura County Railroad Company
Western Plant Health Association
Western Tree Nut Association

Analysis Prepared by: Alexa Cohill-Milanick / U. & E. / (916) 319-2083