

Signal Inspection Bill Passed by Congress

THE SENATE on August 18 completed Congressional action on the signal inspection bill (S. 29) when it agreed to amendments adopted by the House of Representatives which passed the measure on August 16. The bill had originally passed the Senate on May 17. Among the several House amendments was one placing inspectors, to be employed, under civil service regulations.

The bill was signed by President Roosevelt on Aug. 26, and is, therefore, fully enacted as law. The act with final amendments is quoted below:

An Act

An act to require certain common carriers by railroad to install and maintain certain appliances, methods, and systems intended to promote the safety of employees and travelers on railroads, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 26 of the Interstate Commerce Act, as amended (U.S.C., 1934 ed., title 49, sec. 26), is hereby amended to read as follows:

Sec. 26. (a) The term "carrier" as used in this section includes any carrier by railroad subject to this part (including any terminal or station company), and any receiver or any other individual or body, judicial or otherwise, when in the possession of the business of a carrier subject to this section: Provided, however, That the term "carrier" shall not include any street, interurban, or suburban electric railway unless such railway is operated as a part of a general steam-railroad system of transportation, but shall not exclude any part of a general steam-railroad system of transportation now or hereafter operated by any other motive power.

(b) That the Commission may, after investigation, if found necessary in the public interest, order any carrier within a time specified in the

order, to install the block signal system, interlocking, automatic train stop, train control, and/or cab-signal devices, and/or other similar appliances, methods, and systems intended to promote the safety of railroad operation, which comply with specifications and requirements prescribed by the Commission, upon the whole or any part of its railroad, such order to be issued

and published a reasonable time (as determined by the Commission) in advance of the date for its fulfillment: Provided, That block signal systems, interlocking, automatic train stop, train control, and cab-signal devices in use on the date of the enactment of this amendatory provision or such systems or devices hereinafter installed may not be discontinued or materially modified by carriers without the approval of the Commission: Provided further, That a carrier shall not be held to be negligent because of its failure to install such systems, devices, appliances, or methods upon a portion of its railroad not included in the order, and any action arising because of an accident occurring upon such portion of its railroad shall be determined without consideration of the use of such systems, devices, appliances, or methods upon another portion of its road.

(c) Each carrier by railroad shall file with the Commission its rules, standards, and instructions for the installation, inspection, maintenance, and repair of the systems, devices, and appliances covered by this section within six months after the enactment of this amendatory provision, and, after approval by the Commission, such rules, standards, and instructions, with such modifications as the Commission may require, shall be-

come obligatory upon the carrier: Provided, however, That if any such carrier shall fail to file its rules, standards, and instructions, the Commission shall prepare rules, standards, and instructions for the installation, inspection, maintenance, and repair of such systems, devices, and appliances to be observed by such carrier, which rules, standards, and instructions, a copy thereof having been served on the president, chief operating officer, trustee, or receiver, of such carrier, shall be obligatory: Provided further, That such carrier may from time to time change the rules, standards, and instructions herein provided for, but such change shall not take effect and the new rules, standards, and instructions be enforced until they shall have been filed with and approved by the Commission: And provided further, That the Commission may on its own motion, upon good cause shown, revise, amend, or modify the rules, standards, and instructions prescribed by it under this subsection, and as revised, amended, or modified they shall be obligatory upon the carrier after a copy thereof shall have been served as above provided.

(d) The Commission is authorized to inspect and test any systems, devices, and appliances referred to in

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Photo by Harris Ewing

track circuits, as well as perhaps some disadvantages of such operation. However, consideration should be given to the fact that the Delaware & Hudson provided continuous track-occupancy on its recent C.T.C. installation near Albany, N. Y., and the Chicago, Burlington & Quincy is including track-occupancy indications for all main line track on a 112-mile project now under construction. Evidently ways and means can be devised to secure the track-occupancy indications, providing the operating results are considered desirable. Therefore, it is evident that the subject deserves consideration when planning a proposed C.T.C. installation.

OPEN FORUM

This column is published to encourage interchange of ideas on railway signaling subjects. Letters published will be signed with the author's name, unless the author objects. However, in order to encourage open discussion of controversial matters, letters may be signed with pen names at the request of the author. In such instances, the correspondent must supply the editor with his name and address as evidence of good faith. This information will not be disclosed, even on inquiry unless the correspondent consents.

Making Good

Chicago.

To the Editor:

Frequently when we ask the management to approve the purchase of a tool, with a statement that we can make certain economies, they question whether our statements are exaggerated due to enthusiasm.

I have just had an experience with a specially designed power grinder for bonding drills. I admit my economy statement to the management in recommending its purchase was influenced by enthusiasm. However, I have found that my enthusiastic prediction has been substantiated many times over.

It is really surprising the reduction in the number of bonding drills we have had to purchase for large rail-re-lay and new construction projects since we purchased the grinder. In fact, we have completed rather large rail-re-lay jobs with second-hand drills collected from the system, which otherwise would not have been considered as usable. It was also surprising to note the number of miscellaneous bits which we collected from maintainers' tool houses, which had been "set aside" by them as not fit for use, and which have been put back into service after regrinding with this machine.

All bonding drills for both construction and maintenance work are sent to our signal shop for regrinding. We endeavor to give one day service in the shop, so that the "revolving quantity" necessary on rail-re-lay and new installation projects is relatively small.

A READER

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this section used by any such carrier and to determine whether such systems, devices, and appliances are in proper condition to operate and provide adequate safety. For these purposes the Commission is authorized to employ persons familiar with the subject. Such persons shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service. No person interested, either directly or indirectly, in any patented article required to be used on or in connection with any of such systems, devices, and appliances or who has any financial interest in any carrier or in any concern dealing in railway supplies shall be used for such purpose.

(e) It shall be unlawful for any carrier to use or permit to be used on its line any system, device, or appliance covered by this section unless such apparatus, with its controlling and operating appurtenances, is in proper condition and safe to operate in the service to which it is put, so that the same may be used without unnecessary peril to life and limb, and unless such apparatus, with its controlling and operating appurtenances, has been inspected from time to time in accordance with the provisions of this section and is able to meet the requirements of such test or tests as may be prescribed in the rules and regulations hereinbefore provided.

(f) Each carrier shall report to the Commission in such manner and to such extent as may be required by the Commission, failures of such systems, devices, or appliances to indicate or function as intended; and in case of accident resulting from failure of any such system, device, or appliance to indicate or function as intended, and resulting in injury to person or property which is reportable under the rules of the Commission, a statement forthwith must be made in writing of the fact of such accident by the carrier owning or maintaining such system, device, or appliance to the Commission; whereupon the facts concerning such accident shall be subject to investigation as provided in sections 3, 4, and 5 of the Act entitled, "An Act requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said Commission," approved May 6, 1910 (U.S.C., 1934 ed., title 45, secs. 40, 41, and 42).

(g) It shall be the duty of the Commission to see that the requirements of this section and the orders, rules, regulations, standards, and instructions made, prescribed, or approved hereunder are observed by carriers, and all powers heretofore granted to the Commission are hereby extended to it in the execution of this section.

(h) Any carrier which violates any provision of this section, or which fails to comply with any of the orders, rules, regulations, standards, or instructions made, prescribed, or approved hereunder shall be liable to a penalty of \$100 for each such violation and \$100 for each and every day such violation, refusal, or neglect continues, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such violations shall have been committed. It shall be the duty of such attorneys to bring such suits upon duly verified information being lodged with them showing such violations having occurred; and it shall be the duty of the Commission to lodge with the proper United States attorneys information of any violations of this section coming to its knowledge.