

Kansas Administrative Regulations

Kansas Corporation Commission

Article 5.—Railroad Safety

82-5-6. Regulation relating to inspection, maintenance and repair of trackage, road bed, right-of-way, bridges and other structures.

If, on the inspector's report, the commission has reasonable ground to believe that any track, bridge or other structure of the railroad is in a condition which renders it dangerous, unfit or unsafe, the commission shall immediately give the superintendent or other executive officer of the company operating that railroad notice of the condition thereof and of the repairs or reconstruction necessary to place it in a safe condition. The commission may prescribe the time in which the repairs or reconstruction necessary to place it in a safe condition must be made and the maximum speed that trains may be operated over the dangerous or defective track, bridge or other structure until the repairs or reconstruction required are made. The commission may forbid the running of trains over the defective track, bridge or other structure, if it is of the opinion that such action is necessary and proper. However, the railroad affected by such a prohibition may request a hearing to determine whether or not such action is necessary and proper. Any company operating a railroad in Kansas may designate a representative to confer with the commission or any member thereof, at the time and place designated by the commission, in order to discuss the condition of the railroad property affected by this section.

(Authorized by and implementing K.S.A. 66-231b; effective, E-71-15, March 5, 1971; effective Jan. 1, 1972; amended May 1, 1984.)

***** Authenticated Kansas Administrative Regulation *****