

## **BILL ANALYSIS**

Senate Research Center  
89R5975 GP-D

S.B. 2323  
By: Johnson  
Transportation  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In Texas, there are numerous cases of individuals trespassing onto railroad tracks with the intent of self-harm. The vast majority of these incidents are unavoidable from the perspective of the train crew and tragically result in collisions. Despite this, such cases often receive extensive media coverage that unfairly criticizes, and places blame on, the train operators. Additionally, the personal information of these crew members is frequently made public, leading to ongoing harassment from members of the community. Moreover, in some cases, crew members have endured having their property vandalized, being verbally harassed, and physically threatened. To make matters worse, these incidents can also have financial consequences for the crew. In many cases, the crew's personal auto insurance rates are increased, even though the incident did not involve their own vehicle, simply because their name is associated with the incident. This adds another burden to the rail crew who were not at fault and were unable to prevent the tragedy.

S.B. 2323 protects personally identifiable information in the report from being publicly available. However, it maintains that this information will still be available for relevant parties such as any victims, the railroad company, and law enforcement, and will be available for legal proceedings.

S.B. 2323 protects rail crew from being harassed publicly and having personal information disclosed.

S.B. 2323 maintains the accessibility of a rail crew's information for law enforcement and legal proceedings.

As proposed, S.B. 2323 amends current law relating to the disclosure of certain information regarding a record of a collision or violation involving a person operating a railroad locomotive or train.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 192.005, Transportation Code, as follows:

Sec. 192.005. RECORD OF COLLISION OR VIOLATION. Provides that if a person operating a railroad locomotive or train is involved in a collision with another train, a motor vehicle, or a pedestrian or is arrested for violation of a law relating to the person's operation of a railroad locomotive or train, certain information is prohibited from being recorded. Makes a nonsubstantive change.

SECTION 2. Amends Chapter 192, Transportation Code, by adding Section 192.006, as follows:

Sec. 192.006. DISCLOSURE OF CERTAIN INFORMATION FROM RECORD OF COLLISION OR VIOLATION. Prohibits the personally identifying information of a railroad locomotive or train crew or the communications between a train crew and a law

enforcement agency that are included in a report of a collision or violation described by Section 192.005(1) (relating to prohibiting the number of or other identifying information on a person operating a railroad locomotive or train's driver's license or commercial driver's license from being included in any report of certain collisions or violations) from being disclosed except:

- (1) as necessary within the scope of the person's duties to a law enforcement officer or agent or to a state attorney;
- (2) to the railroad company on whose tracks the collision or violation occurred or who employed the crew at the time of the collision or violation;
- (3) to a regulatory agency with oversight of railroads; or
- (4) to a person specifically authorized by court order to receive the information, if access to the information is necessary to the performance of the person's duties.

SECTION 3. Effective date: September 1, 2025.