

119TH CONGRESS
2D SESSION

H. R. 9409

To prohibit certain operations of remote control locomotives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2026

Mr. KENNEDY of New York (for himself and Mr. LAWLER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To prohibit certain operations of remote control locomotives,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Remote Control Loco-
5 motives Safety Improvement Act of 2026”.

6 **SEC. 2. LIMITATIONS ON REMOTE CONTROL LOCOMOTIVES.**

7 (a) PROHIBITIONS.—A railroad carrier may not—

8 (1) operate a train outside a yard without a
9 human locomotive engineer physically located inside

1 the cab of the lead locomotive who has the ability to
2 take control of the operation of the train; or

3 (2) operate a remote control locomotive on a
4 main line.

5 (b) REQUIREMENT FOR OPERATION ON A MAIN
6 LINE.—

7 (1) CERTIFIED LOCOMOTIVE ENGINEER.—A
8 railroad carrier may not operate a train on a main
9 line unless such train has a lead locomotive with a
10 locomotive cab operated by a locomotive engineer
11 certified under part 240 of title 49, Code of Federal
12 Regulations, who is physically located inside the lo-
13 comotive cab.

14 (2) STATUTORY CONSTRUCTION.—Nothing in
15 this subsection shall be construed to allow a loco-
16 motive engineer or conductor solely certified under
17 part 240 of title 49, Code of Federal Regulations, as
18 a remote-control operator to operate a train de-
19 scribed in paragraph (1).

20 (c) WAIVER PROCESS.—Notwithstanding any other
21 provision of Federal law or regulation, the Secretary may
22 not waive the requirements of this section for—

23 (1) a class I railroad;

24 (2) a class II railroad; or

1 (3) any train operating on track classified as
2 class 1 or above, as described in part 213 of title 49,
3 Code of Federal Regulations.

4 (d) APPLICABILITY.—

5 (1) RULEMAKING REQUIREMENTS.—The re-
6 quirements of section 553 of title 5, United States
7 Code, shall not apply to this section.

8 (2) EFFECTIVE DATE.—This section shall take
9 effect on the date of enactment of this Act.

10 **SEC. 3. AUDITS AND INSPECTIONS.**

11 The Administrator of the Federal Railroad Adminis-
12 tration shall—

13 (1) not later than 180 days after the date of
14 enactment of this Act—

15 (A) carry out an audit and inspection of
16 each class I railroad; and

17 (B) take any necessary actions to ensure
18 each such class I railroad is complying with the
19 requirements of this Act; and

20 (2) not later than 1 year after the date of en-
21 actment of this Act, carry out unscheduled audits
22 and inspections, as necessary, on any rail carrier
23 covered by this Act that is not a class I railroad to
24 ensure compliance with the requirements of this Act.

1 **SEC. 4. REGULATORY AUTHORITY.**

2 Except as provided for in section 2(d), the Secretary
3 of Transportation shall issue such regulations as are nec-
4 essary to carry out this Act, including any updates or con-
5 forming changes to part 229.15 of title 49, Code of Fed-
6 eral Regulations.

7 **SEC. 5. FINES FOR VIOLATIONS.**

8 (a) PENALTY.—Subject to section 21304 of title 49,
9 United States Code, a person violating this Act or a regu-
10 lation or an order issued by the Secretary pursuant to this
11 Act is liable to the United States Government for a civil
12 penalty. A separate violation occurs for each day the viola-
13 tion continues.

14 (b) AMOUNT.—The amount of the penalty shall be
15 the greater of 1 percent of the person’s annual income
16 or annual operating income or \$1,000,000.

17 (c) PROCESS.—The requirements in subsections
18 (a)(3), (a)(4), (b), and (c) of section 21301 of title 49,
19 United States Code, shall apply to any penalty imposed
20 by the Secretary pursuant to this section.

21 **SEC. 6. DEFINITIONS.**

22 In this Act:

23 (1) CLASS I, II, AND III RAILROADS; RAILROAD
24 CARRIER.—The terms “class I railroad”, “class II
25 railroad”, “class III railroad”, and “railroad car-

1 rier” have the meanings given such terms in section
2 20102 of title 49, United States Code.

3 (2) LEAD LOCOMOTIVE.—The term “lead loco-
4 motive” means the first locomotive proceeding in the
5 direction of movement.

6 (3) LOCOMOTIVE CAB.—The term “locomotive
7 cab” means the compartment or space on board a
8 locomotive where the control stand is located and
9 which is normally occupied by the engineer when the
10 locomotive is operated.

11 (4) MAIN LINE.—The term “main line” means
12 a segment or route of railroad tracks over which
13 5,000,000 or more gross tons of railroad traffic is
14 transported annually.

15 (5) REMOTE CONTROL LOCOMOTIVE.—The term
16 “remote control locomotive”—

17 (A) means a remote control locomotive
18 that, through use of a radio link, can be oper-
19 ated by a person not physically within the loco-
20 motive cab; and

21 (B) does not include a locomotive or group
22 of locomotives remotely controlled from the lead
23 locomotive of a train, as in a distributed power
24 arrangement.

1 (6) REMOTE CONTROL OPERATOR.—The term
2 “remote control operator” means a locomotive engi-
3 neer, as defined in section 240.7 of title 49, Code of
4 Federal Regulations, certified by a railroad to oper-
5 ate remote control locomotives pursuant to section
6 240.107 of title 49, Code of Federal Regulations.

7 (7) TRAIN.—The term “train” means 1 or
8 more locomotives coupled with or without cars, ex-
9 cept during switching service.

10 (8) YARD.—The term “yard” means a system
11 of tracks, not including main tracks and sidings,
12 used for classifying cars, making-up and inspecting
13 trains, or storing cars and equipment.

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