



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5189

Introduced 2/9/2024, by Rep. Christopher "C.D." Davidsmeyer

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18c-7402.2 new

Amends the Illinois Vehicle Code. Provides that all reports involving railroad fatalities and all communications between police officers and train crew members involved in those occurrences shall not be public reports and shall be maintained by the police departments in a manner that ensures their confidentiality. Provides that these reports shall be accessible at all reasonable times upon written request to the host railroad, to the employing railroad, by court order, and to others specifically authorized by court order to obtain the information if the access is necessary in the performance of their duties. Provides that all such reports shall be accessible at all reasonable times, upon written or electronic mail request, to law enforcement officers, State's Attorneys, or Assistant State's Attorneys. Provides that communications between police officers and railroad employees of the incidents may be shared with these persons if the access is necessary in the performance of their duties.

LRB103 38541 MXP 68677 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by adding
5 Section 18c-7402.2 as follows:

6 (625 ILCS 5/18c-7402.2 new)

7 Sec. 18c-7402.2. Reports involving railroad fatalities.

8 (a) All reports involving railroad fatalities and all
9 communications between police officers and train crew members
10 involved in those occurrences shall not be public reports and
11 shall be maintained by the police departments in a manner that
12 ensures their confidentiality. However, these reports shall be
13 accessible at all reasonable times upon written request to the
14 host railroad, to the employing railroad, by court order, and
15 to others specifically authorized by court order to obtain the
16 information if the access is necessary in the performance of
17 their duties. All such reports shall be accessible at all
18 reasonable times, upon written or electronic mail request, to
19 law enforcement officers, State's Attorneys, or Assistant
20 State's Attorneys.

21 (b) Communications between police officers and railroad
22 employees of the incidents may be shared with the persons
23 described in subsection (a) if the access is necessary in the

1 performance of their duties.