

(b) pay breeders' or owners' awards to the breeders or owners of Minnesota-bred horses in that category which win money at licensed racetracks in the state; and

(c) provide other financial incentives to encourage the horse breeding industry in Minnesota.

(3) With respect to the available money apportioned in the standardbred category, twenty percent must be expended as follows:

(a) one-half of that amount to supplement purses for standardbreds at non-pari-mutuel racetracks in the state;

(b) one-fourth of that amount for the development of nonpari-mutuel standardbred tracks in the state; and

(c) one-fourth of that amount as grants for equine research and related education at public institutions of post-secondary learning in the state.

(4) After deducting the amount for paragraph (3), the balance of the available proceeds in the standardbred category must be expended by the commission to:

(a) supplement purses for races held exclusively for Minnesota-bred and Minnesota-foaled standardbreds;

(b) pay breeders or owners awards to the breeders or owners of Minnesota-bred standardbreds which win money at licensed racetracks in the state; and

(c) provide other financial incentives to encourage the horse breeding industry in Minnesota.

The commission shall adopt rules governing the distribution of the fund. The commission may establish advisory committees to advise it on the distribution of money under this section, provided that the members of an advisory committee shall serve without compensation.

Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 10 are effective the day following final enactment.

Approved April 28, 1988

CHAPTER 697—S.F.No. 449

An act relating to transportation; railroads; requiring occupied caboose car on certain trains; requiring caboose car to be equipped with shortwave radio; imposing a penalty; amending Minnesota Statutes 1986, section 219.56; proposing coding for new law in Minnesota Statutes, chapter 219.

New language is indicated by underline, deletions by ~~strikeout~~.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [219.558] DEFINITIONS.

As used in sections 2 and 3, the following terms have the meanings given them:

(a) "Caboose" means a railroad car or coach that meets the standards of section 219.56 and is used on a train to carry a train crew.

(b) "Terminal" means a system of tracks, whose boundaries are set by a railroad, used for coupling or uncoupling cars.

(c) "Placarded car" means a railroad car that is required by federal regulations to display placards because the car contains hazardous materials.

(d) "Block signals" means a series of signals that control the movement of trains within a section of track.

Sec. 2. [219.559] OCCUPIED CABOOSE IN REAR; EXCEPTION.

Subdivision 1. CABOOSE REQUIRED. Except as provided in subdivision 2, a railroad company may not operate a freight train 2,000 feet long or longer, if the train is handling placarded cars or is operated without block signals, unless the rear car is a caboose that is occupied by at least one member of the train crew.

Subd. 2. EXCEPTIONS. (a) A defective freight car that cannot be entrained except behind the caboose may be the rear car from the point at which it is entrained, unless that point is a terminal where repairs can be made, to the first repair terminal.

(b) This section does not apply to:

(1) a train used in terminal service two miles or less from the limits of the terminal;

(2) a train operated on a short line railroad classified by the Interstate Commerce Commission as a class III line haul railroad;

(3) a railroad company that operates a railway in this state and in two adjoining states, if the total trackage of the railroad company, including trackage rights, is more than 950 miles and less than 1,000 miles;

(4) a unit grain train while it is transporting only grain as defined in section 17.41; or

(5) a unit taconite train while it is transporting only taconite ore, tailings, or other mined mineral ore.

Subd. 3. SHORTWAVE RADIO. No railroad company may operate a caboose unless it is equipped with an operable shortwave radio with the same frequency as the shortwave radio on the lead locomotive of the train.

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 4. PENALTY. A railroad company violating this section is subject to a civil penalty of \$350 for each offense. The operation of a train in violation of this section constitutes a separate violation for each day or part of a day it is so operated. The penalty must be recovered in a civil action by a railway employee, a railway labor organization as defined under the Railway Labor Act, or another interested person in a court having jurisdiction in a county in or through which the railroad line runs. The civil penalty is payable to the state. The court may issue an order requiring compliance with this section. The court shall award the prevailing party in the civil action attorney fees and costs.

Sec. 3. Minnesota Statutes 1986, section 219.56, is amended to read:

219.56 CABOOSE CARS.

It is unlawful for a person, corporation, or company operating a railroad ~~in~~ the state to require or permit the use of caboose cars unless the caboose cars (1) are at least 24 feet in length, exclusive of platforms; (2) have a door at each end; (3) have a dry hopper, gas or electric incinerator, or other suitable toilet facilities; (4) have cupolas, bay windows, platforms, guard rails, grab irons, and steps for the safety of persons getting on or off the caboose cars; and (5) are equipped with at least two four-wheeled trucks. Shatterproof glass must be used in the doors of the caboose when the present glass is replaced. Each caboose, when placed in service, must be provided with paper cups and at least one gallon of potable water supplied by a water cooler, which is kept sanitary, clean, and operating. When failure of the required equipment or standards of maintenance occurs after a caboose has commenced to move in service, the railroad operating that caboose is not in violation of this section if the failure is corrected at the next initial terminal as defined in section 219.551, subdivision 2. Caboose cars built or purchased after January 1, 1968, must have underframing and superstructure constructed of steel or a material of equivalent strength and, after January 1, 1972, must also be equipped with a cushioned underframe or cushioned draft gears and shatterproof glass in all doors and windows. When caboose cars are operated at the rear of a train, as required by section 2, they must be equipped with a marker or markers which may consist of flags, lamps, flashing lights, or reflectorized devices.

Approved April 28, 1988

CHAPTER 698—S.F.No. 1590

An act relating to transportation; providing that uniform relocation assistance standards comply with recent amendments to federal law; authorizing commissioner of transportation to accept gifts to department; authorizing star county signs on highways; appropriating gift funds to commissioner; exempting lessees of highway easement property from tax on its use and possession; providing that governmental body may file deed conveying partial parcel of

New language is indicated by underline, deletions by ~~strikeout~~.