

**609.85 CRIMES AGAINST RAILROAD EMPLOYEES AND PROPERTY; PENALTY.**

Subdivision 1. **Intent to cause derailment.** Whoever throws or deposits any type of debris, waste material, or other obstruction on any railroad track or whoever causes damage or causes another person to damage, tamper, change or destroy any railroad track, switch, bridge, trestle, tunnel, signal or moving equipment used in providing rail services, with intention to cause injury, accident or derailment, is guilty of a felony.

Subd. 2. **Foreseeable risk.** Whoever intentionally throws or deposits any type of debris, waste material, or other obstruction on any railroad track or whoever intentionally causes damage or causes another person to damage, tamper, change or destroy any railroad track, switch, bridge, trestle, tunnel, signal or moving equipment used in providing rail services, which creates a reasonably foreseeable risk of any injury, accident or derailment, is guilty of a gross misdemeanor.

Subd. 3. **Shooting at train.** Whoever intentionally shoots a firearm at any portion of a railroad train, car, caboose, engine or moving equipment so as to endanger the safety of another is guilty of a gross misdemeanor.

Subd. 4. **Throwing objects at train.** Whoever intentionally throws, shoots or propels any stone, brick or other missile at any railroad train, car, caboose, engine or moving equipment, so as to endanger the safety of another is guilty of a gross misdemeanor.

Subd. 5. **Placing obstruction on track.** Whoever places an obstruction on a railroad track is guilty of a misdemeanor.

Subd. 6. **Trespass; allowing animals on track; exception.** Whoever intentionally trespasses, or who permits animals under the person's control to trespass on a railroad track, yard, or bridge is guilty of a misdemeanor. This subdivision does not apply to an elected union official's access to those facilities when acting in an official capacity, to an employee acting within the scope of employment, or to a person with written permission from the railroad company to enter upon the railroad facility.

**History:** 1977 c 179 s 1; 1989 c 5 s 11; 2008 c 350 art 2 s 3