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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2986

02/11/2020 Authored by Sundin, Bernardy, Brand and Hornstein
The bill was read for the first time and referred to the Transportation Finance and Policy Division
02/19/2020 Adoption of Report: Re-referred to the Committee on Labor
04/28/2020 Adoption of Report: Placed on the General Register
Read for the Second Time

1.1 A bill for an act
1.2 relating to transportation; establishing state rail safety inspection program
1.3 requirements; amending Minnesota Statutes 2018, section 219.015, by adding a
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2018, section 219.015, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 1a. Inspection program requirements. (a) State rail safety inspectors must
1.9 enforce state railroad safety provisions under chapters 218 and 219 after conducting an
1.10 investigation using the procedures established by the commissioner under paragraph (c).
1.11 State railroad safety provisions in this chapter include railroad main line, auxiliary, yard,
1.12 or industry track; track support structure; drainage; temporary or permanent clearance
1.13 conditions; track obstructions; walkways; lighting; and railroad and industry yard conditions
1.14 generally.

1.15 (b) The state rail safety inspection program must supply state inspectors with measurement
1.16 tools required to properly inspect and analyze state railroad safety provisions under this
1.17 chapter.

1.18 (c) The commissioner must establish a standardized process to receive and investigate
1.19 complaints of noncompliance of state rail safety provisions in this chapter. Urgent or
1.20 emergency reports of unsafe conditions must be reported by an established means for
1.21 expedited communication as determined by the commissioner.

2.1 (d) Substantiated reports of noncompliance of state rail safety regulations must be
2.2 promptly conveyed by the commissioner or the commissioner's designee to the respective
2.3 rail carrier.

2.4 (e) Reports of noncompliance submitted in this manner must be investigated and enforced
2.5 by the commissioner using the powers established under section 218.041 or other appropriate
2.6 powers. The commissioner must notify the rail carrier of an investigation of a reported
2.7 noncompliant statutory or regulatory condition on the carrier's property. Investigative
2.8 conclusions or actions taken to rectify the noncompliant safety conditions may be provided
2.9 to the reporting party or designated safety representative in the manner established by the
2.10 commissioner.

2.11 (f) Nothing in this section prohibits or limits any other rights and remedies available
2.12 under an application for enforcement under section 218.041.