

A bill for an act
relating to pesticides; regulating application by railroads; amending Minnesota
Statutes 2008, section 18B.07, by adding a subdivision.

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

Section 1. Minnesota Statutes 2008, section 18B.07, is amended by adding a
subdivision to read:

Subd. 9. **Pesticide application by railroads.** (a) This subdivision applies only to
common carrier railroads.

(b) A railroad company applying pesticide to its property must give 48 hours
advance posted notice to its employees reasonably anticipated to work in the area where
application is to be performed. The notice must include the anticipated date and time of
pesticide application, a list of the active ingredients in the pesticide used, and the safe
reentry time as defined by the pesticide manufacturer's label instructions.

(c) Employees must not be required to work in the affected areas in a manner that
is inconsistent with the label instructions.

(d) An employee who believes exposure to pesticide residue is hazardous to that
employee's individual health may refuse service in an area where pesticide has been
applied in the preceding 24 hours. The employer may request medical documentation
providing evidence of the condition asserted by the employee for refusal to work in the
affected area.

(e) Pesticide must not be applied to occupied or unoccupied locomotives, track
repair equipment, or on-track housing units.