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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2987

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
02/20/2020 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 railroads; providing for safety training for emergency preparedness in
1.3 rail yards; amending Minnesota Statutes 2018, section 115E.042, 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 115E.042, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 3a. Railroad worker safety training. (a) Each calendar year, all class one and
1.9 class two railroad carriers must perform at least two live rail-yard evacuation drills that are:

1.10 (1) not computer simulated; and

1.11 (2) conducted with the carrier's employees while the employees are on duty to that carrier
1.12 at rail-yard locations specified in paragraph (b).

1.13 (b) Class one and class two carriers must conduct evacuation drills according to paragraph
1.14 (a) at rail yards where:

1.15 (1) a carrier moves one or more rail cars containing hazardous material, spots rail cars
1.16 to an industry, blocks rail cars for departure, sets rail cars out from a train, or switches or
1.17 inspects rail cars; and

1.18 (2) more than 400 rail cars are moved or pass through each calendar week.

1.19 (c) A carrier must include employees in the evacuation planning, live drills, and
1.20 postevacuation reviews and debriefings for drills. For postevacuation reviews and debriefings
1.21 for drills, a carrier must identify to employees:

2.1 (1) the placarded hazardous materials that move through the yard on a scheduled basis;  
2.2 and

2.3 (2) emergency actions to immediately take when employees come into contact with  
2.4 hazardous materials.

2.5 (d) At rail yards where paragraph (b) applies, a carrier must post:

2.6 (1) evacuation routes for each rail yard;

2.7 (2) the location of each lighted wind sock; and

2.8 (3) the location of rally points or shelters.

2.9 (e) Public emergency response or chemical assessment teams may attend evacuation  
2.10 drills under this subdivision, and a carrier may coordinate evacuation drills under this  
2.11 subdivision with emergency response drills conducted by those teams.

2.12 (f) Evacuation drills under this subdivision must include all carrier employees who are  
2.13 assigned to work at the yard at the time of a drill. An employee who works at the yard but  
2.14 was not present for a drill for three consecutive years must participate in a drill in the fourth  
2.15 year, regardless of assignment location at the time of the drill.

2.16 (g) Evacuation drills must include the designated safety representatives of employees  
2.17 represented under the Railway Labor Act, if available. If the safety representatives are  
2.18 unable to attend drills, the carrier must report to the safety representatives according to  
2.19 paragraph (h).

2.20 (h) Carriers must annually report evacuation drills under this subdivision to:

2.21 (1) local emergency response authorities;

2.22 (2) the Office of Commercial Freight Rail Inspections in the Minnesota Department of  
2.23 Transportation;

2.24 (3) the assigned hazardous material inspector; and

2.25 (4) the safety representatives of employees represented under the Railway Labor Act,  
2.26 if the safety representatives did not attend the evacuation drills.

2.27 (i) Nothing in this subdivision limits a carrier's use of computer-simulated training in  
2.28 addition to the live exercises required in this subdivision.