

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 4129

03/21/2018 Authored by Hornstein
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to transportation; modifying the state rail safety inspection program;
1.3 amending Minnesota Statutes 2016, section 219.015, subdivision 1.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 219.015, subdivision 1, is amended to read:

1.6 Subdivision 1. **Positions Program established; inspector powers and duties.** (a) The
1.7 commissioner of transportation ~~shall~~ must establish ~~three~~ a state rail safety ~~inspector positions~~
1.8 ~~in the Office of Freight and Commercial Vehicle Operations of the Minnesota Department~~
1.9 ~~of Transportation. On or after July 1, 2015, the commissioner may establish a fourth state~~
1.10 ~~rail safety inspector position following consultation with railroad companies~~ inspection
1.11 program consisting of up to six positions, which may include state rail safety inspectors and
1.12 a program supervisor. The commissioner shall apply to and enter into agreements with the
1.13 Federal Railroad Administration (FRA) of the United States Department of Transportation
1.14 to participate in the federal State Rail Safety Participation Program ~~for training and~~
1.15 ~~certification of an inspector~~ to train and certify inspectors under authority of United States
1.16 Code, title 49, sections 20103, 20105, 20106, and 20113, and Code of Federal Regulations,
1.17 title 49, part 212.

1.18 (b) A state rail safety inspector ~~shall~~ may:

1.19 (1) inspect mainline track, secondary track, and yard and industry track;

1.20 (2) inspect railroad right-of-way, including adjacent or intersecting drainage, culverts,
1.21 bridges, overhead structures, and traffic and other public crossings;

1.22 (3) inspect yards and physical plants;

- 2.1 (4) inspect train equipment;
- 2.2 (5) inspect railroad operations;
- 2.3 (6) review and enforce safety requirements;
- 2.4 (7) review maintenance and repair records; and
- 2.5 (8) review railroad security measures.

2.6 (c) A state rail safety inspector may perform, but is not limited to, the duties described
2.7 in the federal State Rail Safety Participation Program. An inspector may train, be certified,
2.8 and participate in any of the federal State Rail Safety Participation Program disciplines,
2.9 including: track, signal and train control, motive power and equipment, operating practices
2.10 compliance, hazardous materials, and highway-rail grade crossings.

2.11 (d) To the extent delegated by the Federal Railroad Administration and authorized by
2.12 the commissioner, an inspector may issue citations for violations of this chapter, or to ensure
2.13 railroad employee and public safety and welfare.

2.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.