

State of Minnesota

H. F. No. 2985

2.1 (2) operations;

2.2 (3) mechanical;

2.3 (4) signal; and

2.4 (5) motive power.

2.5 (d) The schedule of civil penalties and fines must be assessed at the following levels of
2.6 noncompliance:

2.7 (1) violations; and

2.8 (2) willful violations.

2.9 (e) Civil penalties and fines must be assessed progressively at higher rates for each
2.10 consecutive violation or willful violation. Repeated violations and willful violations must
2.11 be assessed according to comparable federal standards under Code of Federal Regulations,
2.12 title 49, sections 200 to 299.

2.13 (f) The commissioner must adopt rules and procedures requiring the Department of
2.14 Transportation to issue a notice of noncompliance to a Class I, Class II, or Class III railroad
2.15 carrier that establishes a deadline to bring an unsafe condition into compliance. The
2.16 commissioner must adopt rules allowing the Department of Transportation to issue an
2.17 emergency order to repair to correct any unsafe condition, including the embargo of a track
2.18 due to an unsafe condition that poses an imminent danger to an employee, railroad worker,
2.19 or the general public.

2.20 (g) The commissioner must adopt rules requiring industry track owners and Class I and
2.21 Class II railroad carriers to provide industry track service and maintenance agreements to
2.22 state inspectors upon request.

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