

House Amendment 1748

Amendment Text

PAG LIN

1 1 Amend [Senate File 515](#), as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 "Section 1. NEW SECTION. 327F.21 RAILROAD TRAIN
1 6 CREWS.
1 7 1. As used in this section, unless the context
1 8 otherwise requires:
1 9 a. "Cab" means the crew compartment of the engine
1 10 of a railroad train or locomotive.
1 11 b. "Department" means the state department of
1 12 transportation.
1 13 c. "Director" means the director of transportation
1 14 or the director's designee.
1 15 d. "Qualified railroad locomotive engineer" means
1 16 a person who has successfully completed a railroad
1 17 carrier's training program for a train service
1 18 engineer, locomotive servicing engineer, or student
1 19 engineer and passed an examination on railroad
1 20 operation rules.
1 21 e. "Qualified railroad trainperson" means a person
1 22 who has successfully completed a railroad carrier's
1 23 training program and passed an examination on railroad
1 24 operation rules.
1 25 2. Any person operating or controlling a railroad
1 26 in this state shall not allow the operation of any
1 27 railroad train or locomotive in this state unless the
1 28 railroad train or locomotive has a crew of at least
1 29 two individuals. One of the individuals shall be a
1 30 qualified railroad locomotive engineer. The other
1 31 individual shall be either a qualified railroad
1 32 locomotive engineer or a qualified railroad
1 33 trainperson. The qualified railroad locomotive
1 34 engineer shall be present in the cab and operate the
1 35 control locomotive at all times that the railroad
1 36 train or locomotive is in motion. The other crew
1 37 member shall be present in the cab at all times the
1 38 railroad train or locomotive is in motion, but may
1 39 dismount the railroad train or locomotive when
1 40 necessary to perform switching activities and other
1 41 job-related duties. However, this subsection shall
1 42 not apply to the extent that it is contrary to or
1 43 inconsistent with a regulation or order of the federal
1 44 railroad administration.
1 45 3. The director may, pursuant to rules adopted by
1 46 the department, grant an exception to the requirements
1 47 of subsection 2 if the director determines that the
1 48 exception will not endanger the life or property of
1 49 any person.
1 50 4. A person who violates this section is, upon
2 1 conviction for a first offense, subject to a schedule
2 2 "one" penalty as provided under section 327C.5. A
2 3 person who violates this section is, upon conviction
2 4 for a second offense committed within three years of
2 5 the first offense, subject to a schedule "two" penalty
2 6 as provided under section 327C.5. A person who
2 7 violates this section is, upon conviction for a third

2 8 or subsequent offense committed within three years of
2 9 the first offense, subject to a schedule "three"
2 10 penalty as provided under section 327C.5."
2 11 #2. Title page, line 1, by inserting after the
2 12 word "Act" the following: "relating to railroads,
2 13 by".
2 14 #3. Title page, line 2, by inserting after the
2 15 word "utilities," the following: "addressing railroad
2 16 crew safety, providing penalties,".
2 17 #4. By renumbering as necessary.
2 18
2 19
2 20 _____
2 21 T. [TAYLOR](#) of Linn
2 22 [SF 515.5](#)03 79
2 23 jj/pj