

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 377

H. P. 338

House of Representatives, January 21, 1981

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Tuttle of Sanford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Prescribe when a Caboose shall be Attached to a Locomotive and Freight Cars.

Be it enacted by the People of the State of Maine, as follows:

23 MRSA § 4218, sub-§ 2-A is enacted to read:

§ 2-A. Caboose required. Unless both labor and management representatives agree otherwise in a signal negotiated contract, no railroad corporation operating in the State that has more than 25 employees may use or permit to be used on a main track, for a distance in excess of one mile in one direction, a locomotive with freight cars unless a caboose is attached to the last car. At least one crew member must be positioned in the caboose while moving to observe conditions that can affect the safe operation of the train.

Any person, firm or corporation violating any of this section commits a civil violation for which a forfeiture of not more than \$100 may be adjudged for each offense.

STATEMENT OF FACT

Due to the nature of heavy industry in Maine, the railroads in the State carry a high percentage of hazardous, toxic and highly flammable chemicals and fuels.

The purpose of this bill is to ensure to some degree, the safety of the citizens who work or reside near railroads from being exposed to unnecessary risks by requiring a caboose be attached to the last car of most trains, and that a member of the crew shall be positioned in the caboose to observe the train for sticking brakes, hot journals, dragging equipment or other conditions that may result in a derailment.