

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1734

H.P. 1256

House of Representatives, December 22, 2003

An Act To Ensure the Safe Operation of Trains

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator HATCH of Somerset and
Representatives: CARR of Lincoln, GOODWIN of Pembroke, SHERMAN of Hodgdon,
USHER of Westbrook.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** continued safe, efficient and reliable rail service
is essential to our State; and

8 **Whereas,** it has come to the attention of certain state
officials that trains run by remote control are operating
10 throughout parts of the United States; and

12 **Whereas,** to ensure the State's public safety and the
well-being of its citizens, particularly those using rail
14 service, it is essential that the issue addressed in this
legislation receive prompt action; and

16 **Whereas,** in the judgment of the Legislature, these facts
18 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
20 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

24 **Sec. 1. 23 MRSA §7308, sub-§14** is enacted to read:

26 14. Minimum number of employees. Each railroad company or
28 rail authority operating within this State is required to have,
 at a minimum, 5 employees located on each of its trains traveling
30 on a railroad line within this State.

32 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

34
36 **SUMMARY**

38 This bill requires all trains in the State to operate with a
minimum of 5 railroad company or rail authority employees.