

ASSEMBLY BILL NO. 138—ASSEMBLYMEN ANDERSON, KIHUEN,
BUCKLEY, CARPENTER, CONKLIN, DONDERO LOOP,
HAMBRICK, HORNE, MANENDO, MORTENSON, OCEGUERA
AND SEGERBLOM

FEBRUARY 6, 2009

Referred to Committee on Transportation

SUMMARY—Creates a new requirement for railroad trains.
(BDR 58-598)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to railroads; providing that no railroad train may
be operated without at least two qualified employees; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides requirements for the operation of railroads and
2 monorails. (Chapter 705 of NRS) **Section 1** of this bill creates a requirement that no
3 railroad train may be operated without at least two qualified employees.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 705 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. Except as otherwise provided in this section, no railroad***
4 ***train may be operated in this State unless the train has a crew of***
5 ***not less than two qualified employees. At least one of the employees***
6 ***on the crew must be a certified engineer.***
7 ***2. The Public Utilities Commission of Nevada may grant an***
8 ***exception to subsection 1 if the Commission determines that the***
9 ***exception will not endanger the life or property of any person.***
10 ***3. As used in this section, "certified engineer" means a***
11 ***person certified in accordance with Part 240 of Title 49 of the***



* A B 1 3 8 *

- 1 *Code of Federal Regulations as a train service engineer,*
- 2 *locomotive servicing engineer or student engineer.*

