

SB 375

Fair For Railroad Workers

SB 375 provides that:

“(4) If the defendant is a railroad, as defined in 69-14-101, and the plaintiff is a Montana resident, the proper place of trial of a claim subject to the Federal Employers' Liability Act, 45 U.S.C. 51, et seq., is any county in which the railroad does business.”

SB 375 amends the venue (where a lawsuit should be filed) laws for claims against railroads to be the same as is provided for under FELA [Federal Employers' Liability Act].

FELA allows a lawsuit against a railroad to be brought in any county where the railroad does business - SB 375 does the same.

The Montana Supreme Court has recently ruled that it is within the legislature's power to enact venue laws - SB 375 does just that.

SB 375 returns fairness to the injured railroad worker.

SB 375 is necessary to allow injured railroad workers an opportunity to have their cases heard in counties where the railroad is not one of the most powerful employers in the community.

SB 375 applies only to injured railroad workers who are Montana residents.

Current law allows a FELA case to only be filed where the person was injured, where the person resides or where the railroad has its registered agent - all places where the railroad has an unfair advantage as one of the most powerful employers in the community.

SB 375 DOES NOT change anything for Union Pacific - they do business in Beaverhead and Silver Bow counties. Nothing changes for UP, they can be sued right now in those same counties under current law, and they can be sued there under SB 375.

Support fairness for railroad workers vote yes for SB 375.