HOUSE BILL NO. 803

INTRODUCED BY B. PHALEN, B. LER, G. PARRY

A BILL FOR AN ACT ENTITLED: “AN ACT PROVIDING LOCOMOTIVE CREW REQUIREMENTS FOR FREIGHT TRAINS; PROVIDING DEFINITIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Locomotive crew requirements. (1) Except as provided in subsection (2), a railroad may not operate a train or locomotive engine engaged in transporting freight in this state unless the train or locomotive engine is operated by a crew of not fewer than two individuals, one of whom is certified by the federal railroad administration as a locomotive engineer, and the other who is certified by the federal railroad administration as a conductor.

(2) Subsection (1) does not apply when:

(a) operating a locomotive engine in helper service; or

(b) operating a locomotive engine in hostler service.

(3) As used in this section, the following definitions apply:

(a) "Helper service" means assisting a train that is experiencing a mechanical failure or that is ascending or descending a grade by coupling a locomotive engine to the front or rear of the train.

(b) "Hostler service" means moving a locomotive engine a short distance within a railroad yard or mechanical facility.

(c) "Train" means one or more locomotive engines, coupled with or without cars, that are required to undergo federal airbrake testing.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 69, chapter 14, part 10, and the provisions of Title 69, chapter 14, part 10, apply to [section 1].
NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.