

BILL ANALYSIS

Senate Research Center
76R6580 WP-D

C.S.S.B. 1098
By: Cain
State Affairs
5/12/1999
Committee Report (Substituted)

DIGEST

Currently, statutes relating to the operation and regulation of a train in the state require a full crew. A full crew consists of a specific number of persons per train. The types of trains may be freight, gravel, or construction trains and light engines. This bill would change certain crew requirements for the trains and would require a qualified engineer to operate a control locomotive at any time the locomotive is in motion. This bill also authorizes a qualified railroad trainman to dismount the train to perform necessary job duties, and establishes the qualifications for that engineer and railroad trainman.

PURPOSE

As proposed, C.S.S.B. 1098 amends crew requirements for certain railroad trains.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 6380, V.T.C.S., to provide that a qualified person is an engineer or railroad trainman if the person has successfully completed a railroad carrier's training program applicable to the appropriate position and passed an examination on railroad operating rules. Prohibits a mixed train and work train from operating outside its yard. Includes a qualified railroad trainman and engineer as a member in a full crew of a construction train that is prohibited from operating outside the yard with less than a full crew. Prohibits the provisions of this article from being applied to certain service or repair tracks. Requires the control locomotive to be operated by a qualified engineer at any time the locomotive is in motion. Authorizes the qualified railroad trainman to dismount the train to perform necessary job duties, including rail switching activities. Provides that nothing in this article shall prevent the railroads from operating with crews consisting of more than two persons. Provides that this article applies to all trains operated in the state to the extent that it does not conflict with federal law. Deletes language that prohibits these provisions from applying to certain crews. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.