

## H.B. 252

# RAILROAD AND RAILROAD CROSSING AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 4, 2011 1:43 PM

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Representative **Lynn N. Hemingway** proposes the following amendments:

1. *Page 6, Lines 158 through 162:*

158           (4) It is a defense to prosecution under this section that the person:

159           (a) was present on the restricted property in the person's capacity as an employee,

160 passenger, contractor, or invitee of the railroad; ~~{or}~~

161           (b) had permission to be on the restricted railroad property from a person with apparent

162 authority to act for the railroad ~~;~~ or

**(c)(i) was investigating an accident;**

**(ii) had announced the person's presence to a railroad employee, if any, present in the direct proximity of the accident site; and**

**(iii) agreed to wear safety gear of the same type being required of railroad employees at the site** .