

119 department may adopt rules governing safe walkways for railroad workers in areas where work
120 is regularly performed on the ground.

121 Section 4. Section **56-4-104** is enacted to read:

122 **56-4-104. Duty of railroads to comply -- Inspection by department.**

123 (1) A railroad corporation shall:

124 (a) comply with any regulation or order of the department issued under the provisions
125 of this chapter; and

126 (b) furnish any information required by the department for purposes of this chapter.

127 (2) The department or the department's authorized agent may, during reasonable hours,
128 enter the place of operation of a railroad to determine whether a railroad is complying with the
129 standards prescribed by this chapter.

130 (3) This chapter does not apply to an entity that provides public transit in this state.

131 Section 5. Section **56-4-105** is enacted to read:

132 **56-4-105. Agency actions.**

133 (1) Subject to Subsection (2), an employee may file a request for agency action with
134 the department alleging a violation of ~~§~~ [:] ~~←~~←

135 ~~§~~ [a)] ~~←~~← this chapter ~~§~~ [; or] . ~~←~~←

136 ~~§~~ [(b) a department rule made in accordance with Subsection 56-4-103(7);] ~~←~~←

137 (2) (a) An employee may not file a request for agency action of an alleged violation of
138 this chapter unless the employee has attempted to address the alleged allegations with the
139 railroad corporation.

140 (b) Any request for agency action alleging a violation of this chapter shall contain a
141 written statement that the employee filing the request for agency action has made a reasonable,
142 good faith attempt to address the alleged violation with the railroad corporation.

143 (3) The department may initiate an action by filing a notice of agency action.

144 Section 6. Section **56-4-106** is enacted to read:

145 **56-4-106. Judicial review.**

146 (1) A party aggrieved by an order of the department may obtain judicial review.

147 (2) Venue for judicial review of informal adjudicative proceedings under this chapter is
148 in the district court of the county in which the place of employment is located.

149 Section 7. Section **56-4-107** is enacted to read: