

1 House BILL NO. 792  
 2 INTRODUCED BY Brend Mullar

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PENALTY  
 5 FOR RAILROADS REFUSING TO PROVIDE CARS IN SUITABLE CONDITION  
 6 FOR SHIPPING GRAIN; AND UPDATING THE CHARGES THAT MUST BE  
 7 REIMBURSED BY THE RAILROAD TO PERSONS REPAIRING SUCH CARS;  
 8 AMENDING SECTIONS 72-658 AND 72-662, R.C.M. 1947."

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

11 Section 1. Section 72-658, R.C.M. 1947, is amended to  
 12 read as follows:

13 "72-658. Right of shipper upon default of railroad  
 14 company. In case such railroad or railway company shall  
 15 fail, within twenty-four hours after written complaint has  
 16 been made by the shipper or his representative, to clean and  
 17 safely cooper such car or cars, then such shipper or his  
 18 representative shall have authority to enter upon such car  
 19 or cars, and properly and safely cooper and clean the same;  
 20 and said railroad or railway company shall pay for the labor  
 21 expended in such repairs at the rate of ~~three--dollars~~ \$30  
 22 per eight-hour day, and the actual cost of material used,  
 23 providing that such charge shall in no case exceed ~~five~~  
 24 ~~dollars~~ \$100 for each car so coopered."

25 Section 2. Section 72-662, R.C.M. 1947, is amended to

1 read as follows:  
 2 "72-662. ~~Duty Penalty -- duty~~ of commission to enforce  
 3 law. (1) Any railroad failing to comply with the provisions  
 4 of this act is punishable by fine not to exceed \$1,000 for  
 5 each day such violation persists.

6 (2) It is hereby made the duty of the commission to  
 7 enforce the provisions of this act."  
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