

HOUSE BILL NO. 408

INTRODUCED BY DRISCOLL, BRAND, BACHINI, ZABROCKI,  
LYNCH, HART, MENAHAN, PAVLOVICH, HARRINGTON, DAILY

IN THE HOUSE

January 19, 1983	Introduced and referred to Committee on Business and Industry.
January 27, 1983	Committee recommend bill do pass as amended. Report adopted.
January 28, 1983	Bill printed and placed on members' desks.
January 31, 1983	Second reading, do pass.
February 1, 1983	Considered correctly engrossed.
February 2, 1983	Third reading passed. Transmitted to Senate.

IN THE SENATE

February 3, 1983	Introduced and referred to Committee on Highways and Transportation.
February 16, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 9, 1983	Second reading, concurred in.
March 11, 1983	Third reading, concurred in. Ayes, 46; Noes, 3.

IN THE HOUSE

March 11, 1983	Returned to House with amendments.
----------------	------------------------------------

March 31, 1983

Second reading, amendments  
not concurred in.

On motion Conference  
Committee requested and  
appointed.

April 7, 1983

Conference Committee  
dissolved.

On motion Free Conference  
Committee requested.

April 8, 1983

Free Conference Committee  
appointed.

April 9, 1983

Free Conference Committee  
reported.

April 12, 1983

Second reading, Free  
Conference Committee report  
adopted.

Free Conference Committee  
report adopted by Senate.

April 15, 1983

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *408*  
 2 INTRODUCED BY *Orinell Brand Baglini, J. H. Hargis*  
 3 *Sen. Earl Menahan, Patrick Hargis*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE LAST  
 5 CAR OF ANY FREIGHT TRAIN OPERATING WITHIN THE STATE BE AN  
 6 OCCUPIED CABOOSE; AMENDING SECTION 69-14-232, MCA."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 69-14-232, MCA, is amended to read:

10 "~~69-14-232. Caboose required to be rear train car --~~

11 ~~Size size and equipment of caboose. (1) Every railroad must~~  
 12 ~~place, as the last car on any freight train operating within~~  
 13 ~~the state, a caboose occupied by at least one employee of~~  
 14 ~~the railroad.~~

15 ~~(1)(2) Caboose shall be at least 24 feet in length,~~  
 16 ~~exclusive of platforms, and shall be provided with a door in~~  
 17 ~~each end and with cupolas or bay windows, platforms,~~  
 18 ~~guardrails, grabirons, and steps for the safety of persons~~  
 19 ~~in alighting or getting on cabooses. Caboose shall be of~~  
 20 ~~metal frame construction and be sufficiently insulated to~~  
 21 ~~eliminate track and other related noise above 85 decibels in~~  
 22 ~~any octave in the speech range. Other requirements for~~  
 23 ~~cabooses are as follows:~~

24 (a) The trucks shall provide riding qualities at least  
 25 equal to those of freight type trucks modified with

1 elliptical or additional coil springs or other means of  
 2 equal or greater efficiency and shall have at least two  
 3 four-wheel trucks with standard steel wheels or their  
 4 equivalent. Draft gears shall have a minimum travel of 2 1/2  
 5 inches and a minimum capacity of 18,000 foot-pounds and  
 6 shall comply with Association of American Railroads Standard  
 7 M-901 or its equivalent.

8 (b) Electric lighting of at least 40 foot-candles  
 9 shall be provided for direct illumination of the caboose  
 10 desk, reading areas, and lavatory facilities.

11 (c) A spotlight shall be provided on the rear of the  
 12 caboose with sufficient candlepower to illuminate the track  
 13 for a distance of at least 300 feet to the rear of the  
 14 caboose during the hours of darkness.

15 (d) The caboose marker or markers shall be either  
 16 reflectorized or capable of illumination when required.

17 (e) Only glass of the safety-glass type shall be used  
 18 in partitions, doors, windows, or wind deflectors.

19 (f) All seats and seat backs shall conform to the  
 20 safety standards designated by the United States department  
 21 of transportation in its "Federal Motor Vehicle Safety  
 22 Standards", Motor Vehicle Safety Standard No. 201. All  
 23 edges and protrusions on seats and seat backs shall be  
 24 rounded to prevent injury to employees.

25 ~~(2)(3)~~ Any person, corporation, or company, operating

1 any railroad or railway in this state, violating any of the  
2 provisions of this section and 69-14-233 is guilty of a  
3 misdemeanor and upon conviction thereof shall be fined not  
4 less than \$500 or more than \$1,000 for each offense."

-End-

Approved by Committee  
on Business and Industry

## HOUSE BILL NO. 408

INTRODUCED BY DRISCOLL, BRAND, BACHINI, ZABROCKI,  
LYNCH, HART, MENAHAN, PAVLOVICH, HARRINGTON, DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE LAST  
CAR OF ANY FREIGHT TRAIN OPERATING WITHIN THE STATE BE AN  
OCCUPIED CABOOSE; AMENDING SECTION 69-14-232, MCA."

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

Section 1. Section 69-14-232, MCA, is amended to read:

~~"69-14-232. Caboose required to be rear train car --  
Size size and equipment of caboose. (1) Every railroad must  
place, as the last car on any freight train REQUIRED BY  
FEDERAL RAILROAD ADMINISTRATION RULES TO HAVE ITS AIR SYSTEM  
AND CARS INSPECTED BY QUALIFIED INSPECTING EMPLOYEES AT ANY  
DESIGNATED INSPECTION POINT AND BETWEEN SAID INSPECTION  
POINTS AND operating within the state, a caboose occupied by  
at least one employee of the railroad.~~

~~{1}{2} Caboosees shall be at least 24 feet in length,  
exclusive of platforms, and shall be provided with a door in  
each end and with cupolas or bay windows, platforms,  
guardrails, grabirons, and steps for the safety of persons  
in alighting or getting on cabooses. Caboosees shall be of  
metal frame construction and be sufficiently insulated to  
eliminate track and other related noise above 85 decibels in~~

any octave in the speech range. Other requirements for  
cabooses are as follows:

(a) The trucks shall provide riding qualities at least  
equal to those of freight type trucks modified with  
elliptical or additional coil springs or other means of  
equal or greater efficiency and shall have at least two  
four-wheel trucks with standard steel wheels or their  
equivalent. Draft gears shall have a minimum travel of 2 1/2  
inches and a minimum capacity of 18,000 foot-pounds and  
shall comply with Association of American Railroads Standard  
M-901 or its equivalent.

(b) Electric lighting of at least 40 foot-candles  
shall be provided for direct illumination of the caboose  
desk, reading areas, and lavatory facilities.

(c) A spotlight shall be provided on the rear of the  
caboose with sufficient candlepower to illuminate the track  
for a distance of at least 300 feet to the rear of the  
caboose during the hours of darkness.

(d) The caboose marker or markers shall be either  
reflectorized or capable of illumination when required.

(e) Only glass of the safety-glass type shall be used  
in partitions, doors, windows, or wind deflectors.

(f) All seats and seat backs shall conform to the  
safety standards designated by the United States department  
of transportation in its "Federal Motor Vehicle Safety

1 Standards", Motor Vehicle Safety Standard No. 201. All  
2 edges and protrusions on seats and seat backs shall be  
3 rounded to prevent injury to employees.

4 ~~(2)~~(3) Any person, corporation, or company, operating  
5 any railroad or railway in this state, violating any of the  
6 provisions of this section and 69-14-233 is guilty of a  
7 misdemeanor and upon conviction thereof shall be fined not  
8 less than \$500 or more than \$1,000 for each offense."

-End-

## HOUSE BILL NO. 408

INTRODUCED BY DRISCOLL, BRAND, BACHINI, ZABROCKI,  
LYNCH, HART, MENAHAN, PAVLOVICH, HARRINGTON, DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE LAST  
CAR OF ANY FREIGHT TRAIN OPERATING WITHIN THE STATE BE AN  
OCCUPIED CABOOSE; AMENDING SECTION 69-14-232, MCA."

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

Section 1. Section 69-14-232, MCA, is amended to read:

"69-14-232. ~~Caboose required to be rear train car --~~  
~~Size size and equipment of caboose. (1) Every railroad must~~  
~~place, as the last car on any freight train REQUIRED BY~~  
~~FEDERAL RAILROAD ADMINISTRATION RULES TO HAVE ITS AIR SYSTEM~~  
~~AND CARS INSPECTED BY QUALIFIED INSPECTING EMPLOYEES AT ANY~~  
~~DESIGNATED INSPECTION POINT AND BETWEEN SAID INSPECTION~~  
~~POINTS AND operating within the state, a caboose occupied by~~  
~~at least one employee of the railroad.~~

~~††(2) Cabooes shall be at least 24 feet in length,~~  
~~exclusive of platforms, and shall be provided with a door in~~  
~~each end and with cupolas or bay windows, platforms,~~  
~~guardrails, grabirons, and steps for the safety of persons~~  
~~in alighting or getting on cabooses. Cabooes shall be of~~  
~~metal frame construction and be sufficiently insulated to~~  
~~eliminate track and other related noise above 85 decibels in~~

any octave in the speech range. Other requirements for  
cabooses are as follows:

(a) The trucks shall provide riding qualities at least  
equal to those of freight type trucks modified with  
elliptical or additional coil springs or other means of  
equal or greater efficiency and shall have at least two  
four-wheel trucks with standard steel wheels or their  
equivalent. Draft gears shall have a minimum travel of 2 1/2  
inches and a minimum capacity of 18,000 foot-pounds and  
shall comply with Association of American Railroads Standard  
M-901 or its equivalent.

(b) Electric lighting of at least 40 foot-candles  
shall be provided for direct illumination of the caboose  
desk, reading areas, and lavatory facilities.

(c) A spotlight shall be provided on the rear of the  
caboose with sufficient candlepower to illuminate the track  
for a distance of at least 300 feet to the rear of the  
caboose during the hours of darkness.

(d) The caboose marker or markers shall be either  
reflectorized or capable of illumination when required.

(e) Only glass of the safety-glass type shall be used  
in partitions, doors, windows, or wind deflectors.

(f) All seats and seat backs shall conform to the  
safety standards designated by the United States department  
of transportation in its "Federal Motor Vehicle Safety

1 Standards", Motor Vehicle Safety Standard No. 201. All  
2 edges and protrusions on seats and seat backs shall be  
3 rounded to prevent injury to employees.

4 ~~†2†121~~ Any person, corporation, or company, operating  
5 any railroad or railway in this state, violating any of the  
6 provisions of this section and 69-14-233 is guilty of a  
7 misdemeanor and upon conviction thereof shall be fined not  
8 less than \$500 or more than \$1,000 for each offense."

-End-



February 17, 1983

SENATE STANDING COMMITTEE REPORT  
(Highways & Transportation)

That House Bill No. 408 be amended as follows:

1. Page 1, line 18.

Following: "railroad"

Insert: ",provided however, a caboose is not required on a train operating within railroad yard limits, on a road, switch, or local switch train, on a work train, maintenance train, or on any other train of 35 cars or less "

## HOUSE BILL NO. 408

INTRODUCED BY DRISCOLL, BRAND, BACHINI, ZABROCKI,  
LYNCH, HART, MENAHAN, PAVLOVICH, HARRINGTON, DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE LAST  
CAR OF ANY FREIGHT TRAIN OPERATING WITHIN THE STATE BE AN  
OCCUPIED CABOOSE; AMENDING SECTION 69-14-232, MCA."

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

Section 1. Section 69-14-232, MCA, is amended to read:

~~"69-14-232. Caboose required to be rear train car --  
Size size and equipment of caboose. (1) Every railroad must  
place, as the last car on any freight train REQUIRED BY  
FEDERAL RAILROAD ADMINISTRATION RULES TO HAVE ITS AIR SYSTEM  
AND CABS INSPECTED BY QUALIFIED INSPECTING EMPLOYEES AT ANY  
DESIGNATED INSPECTION POINT AND BETWEEN SAID INSPECTION  
POINTS AND operating within the state, a caboose occupied by  
at least one employee of the railroad, PROVIDED, HOWEVER, A  
CABOOSE IS NOT REQUIRED ON A TRAIN OPERATING WITHIN RAILROAD  
YARD LIMITS, ON A ROAD, SWITCH, OR LOCAL SWITCH TRAIN, ON A  
WORK TRAIN, MAINTENANCE TRAIN, OR ON ANY OTHER TRAIN OF 35  
CABS OR LESS.~~

~~†††(2) Caboosees shall be at least 24 feet in length,  
exclusive of platforms, and shall be provided with a door in  
each end and with cupolas or bay windows, platforms,~~

guardrails, grabirons, and steps for the safety of persons  
in alighting or getting on cabooses. Cabooses shall be of  
metal frame construction and be sufficiently insulated to  
eliminate track and other related noise above 85 decibels in  
any octave in the speech range. Other requirements for  
cabooses are as follows:

(a) The trucks shall provide riding qualities at least  
equal to those of freight type trucks modified with  
elliptical or additional coil springs or other means of  
equal or greater efficiency and shall have at least two  
four-wheel trucks with standard steel wheels or their  
equivalent. Draft gears shall have a minimum travel of 2 1/2  
inches and a minimum capacity of 18,000 foot-pounds and  
shall comply with Association of American Railroads Standard  
M-901 or its equivalent.

(b) Electric lighting of at least 40 foot-candles  
shall be provided for direct illumination of the caboose  
desk, reading areas, and lavatory facilities.

(c) A spotlight shall be provided on the rear of the  
caboose with sufficient candlepower to illuminate the track  
for a distance of at least 300 feet to the rear of the  
caboose during the hours of darkness.

(d) The caboose marker or markers shall be either  
reflectorized or capable of illumination when required.

(e) Only glass of the safety-glass type shall be used

1 in partitions, doors, windows, or wind deflectors.  
 2 (f) All seats and seat backs shall conform to the  
 3 safety standards designated by the United States department  
 4 of transportation in its "Federal Motor Vehicle Safety  
 5 Standards", Motor Vehicle Safety Standard No. 201. All  
 6 edges and protrusions on seats and seat backs shall be  
 7 rounded to prevent injury to employees.  
 8 ~~(2)~~ Any person, corporation, or company, operating  
 9 any railroad or railway in this state, violating any of the  
 10 provisions of this section and 69-14-233 is guilty of a  
 11 misdemeanor and upon conviction thereof shall be fined not  
 12 less than \$500 or more than \$1,000 for each offense."

-End-

April 7, 1983

FREE CONFERENCE COMMITTEE  
ON HOUSE BILL 408  
(Report No. 1, April 7, 1983)

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Conference Committee on House Bill 408, met April 7, 1983, and considered:

Senate Highways and Transportation Committee Amendments to the third reading copy, dated February 17, 1983, and recommend as follows:

That the Senate recede from the Highways and Transportation Committee amendment no. 1, dated February 17, 1983;

That House Bill 408 be further amended as specified in CLERICAL INSTRUCTION no. 1;

That the reference copy, second printing, of House Bill 408 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Free Conference Committee Report to House Bill No. 408 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 18.


Following: "railroad"

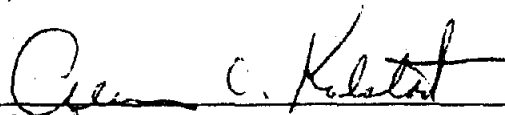
Strike: ", "

Insert: ". A caboose is required on all thru-freight, local, and work trains. Provided however, a caboose is not required on a train operating within railroad yard or switch limits as presently established, or on a thru-freight if not more than 2000 feet in overall length operating within an Automatic Block Signal System or within Centralized Traffic Control limits "

FOR THE SENATE:

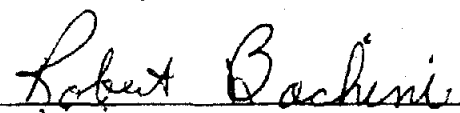
  
Brown, Chairman

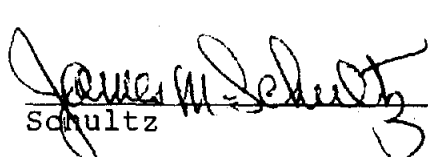
  
Fuller

  
Kolstad

FOR THE HOUSE:

  
Driscoll, Chairman

  
Bachini

  
Schultz

April 8, 1983

FREE CONFERENCE COMMITTEE  
ON HOUSE BILL 408  
(Report No. 1, 6:00 PM )

MR. SPEAKER:

We, your Free Conference Committee on House Bill 408, met and considered:

Senate Highways and Transportation Committee Amendments to the third reading copy, dated February 17, 1983, and recommend as follows:

That the Senate recede from the Highways and Transportation Committee amendment no. 1, dated February 17, 1983;

That House Bill 408 be further amended as specified in CLERICAL INSTRUCTION no. 2;

And that this Free Conference Committee Report to House Bill No. 408 be adopted.

CLERICAL INSTRUCTIONS for Reference Copy (Salmon)

1. Strike Senate Committee Amendment #1.

2. Page 1, line 18.

Following: "railroad"

Insert: " . A caboose is required on all thru-freight, local, and work trains. Provided however, a caboose is not required on a train operating within railroad yard or switch limits as presently established, or on a thru-freight if not more than 2,000 feet in overall length operating within an Automatic Block Signal System or within Centralized Traffic Control limits"

FOR THE HOUSE

Driscoll  
Driscoll, Chairman

Robert Bachini  
Bachini

James M. Schultz  
Schultz

FOR THE SENATE

Bob Brown  
Brown, Chairman

David E. Fuller  
Fuller

Kolstad  
Kolstad

ck

## HOUSE BILL NO. 408

INTRODUCED BY DRISCOLL, BRAND, BACHINI, ZABROCKI,  
LYNCH, HART, MENAHAN, PAVLOVICH, HARRINGTON, DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE LAST  
CAR OF ANY FREIGHT TRAIN OPERATING WITHIN THE STATE BE AN  
OCCUPIED CABOOSE; AMENDING SECTION 69-14-232, MCA."

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

Section 1. Section 69-14-232, MCA, is amended to read:

"69-14-232. ~~Caboose required to be rear train car --~~  
~~size size and equipment of caboose. (1) Every railroad must~~  
~~placed as the last car on any freight train REQUIRED BY~~  
~~FEDERAL RAILROAD ADMINISTRATION RULES TO HAVE ITS AIR SYSTEM~~  
~~AND CABS INSPECTED BY QUALIFIED INSPECTING EMPLOYEES AT ANY~~  
~~DESIGNATED INSPECTION POINT AND BETWEEN SAID INSPECTION~~  
~~POINTS AND operating within the state, a caboose occupied by~~  
~~at least one employee of the railroad; PROVIDED HOWEVER, A~~  
~~CABOOSE IS NOT REQUIRED ON A TRAIN OPERATING WITHIN RAILROAD~~  
~~YARD LIMITS, ON A ROAD SWITCH, OR A GOAL SWITCH TRAIN, ON A~~  
~~WORK TRAIN, MAINTENANCE TRAIN, OR ON ANY OTHER TRAIN, OR, IF~~  
~~CABS ARE LESS, A CABOOSE IS REQUIRED ON ALL THROUGH-FREIGHT,~~  
~~LOCAL, AND WORK TRAINS, PROVIDED HOWEVER, A CABOOSE IS NOT~~  
~~REQUIRED ON A TRAIN OPERATING WITHIN RAILROAD YARD OR SWITCH~~  
~~LIMITS AS PRESENTLY ESTABLISHED, OR ON A THROUGH-FREIGHT IF~~

~~NOT MORE THAN 2,000 FEET IN OVERALL LENGTH OPERATING WITHIN~~  
~~AN AUTOMATIC BLOCK SIGNAL SYSTEM OR WITHIN CENTRALIZED~~  
~~TRAFFIC CONTROL LIMITS.~~

(2) Caboose shall be at least 24 feet in length,  
exclusive of platforms, and shall be provided with a door in  
each end and with cupolas or bay windows, platforms,  
guardrails, grabirons, and steps for the safety of persons  
in alighting or getting on cabooses. Cabooses shall be of  
metal frame construction and be sufficiently insulated to  
eliminate track and other related noise above 85 decibels in  
any octave in the speech range. Other requirements for  
cabooses are as follows:

(a) The trucks shall provide riding qualities at least  
equal to those of freight type trucks modified with  
elliptical or additional coil springs or other means of  
equal or greater efficiency and shall have at least two  
four-wheel trucks with standard steel wheels or their  
equivalent. Draft gears shall have a minimum travel of 2 1/2  
inches and a minimum capacity of 18,000 foot-pounds and  
shall comply with Association of American Railroads Standard  
M-901 or its equivalent.

(b) Electric lighting of at least 40 foot-candles  
shall be provided for direct illumination of the caboose  
desk, reading areas, and lavatory facilities.

(c) A spotlight shall be provided on the rear of the

1 caboose with sufficient candlepower to illuminate the track  
2 for a distance of at least 300 feet to the rear of the  
3 caboose during the hours of darkness.

4 (d) The caboose marker or markers shall be either  
5 reflectorized or capable of illumination when required.

6 (e) Only glass of the safety-glass type shall be used  
7 in partitions, doors, windows, or wind deflectors.

8 (f) All seats and seat backs shall conform to the  
9 safety standards designated by the United States department  
10 of transportation in its "Federal Motor Vehicle Safety  
11 Standards", Motor Vehicle Safety Standard No. 201. All  
12 edges and protrusions on seats and seat backs shall be  
13 rounded to prevent injury to employees.

14 ~~(2)~~(3) Any person, corporation, or company, operating  
15 any railroad or railway in this state, violating any of the  
16 provisions of this section and 69-14-233 is guilty of a  
17 misdemeanor and upon conviction thereof shall be fined not  
18 less than \$500 or more than \$1,000 for each offense."

-End-