

By: Representative Compretta

To: Transportation

HOUSE BILL NO. 1403

1 AN ACT TO AMEND SECTION 65-1-173, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO EMPLOY
3 AN ADDITIONAL RAILROAD INSPECTOR AND TO REMOVE THE COMMISSION'S
4 AUTHORITY TO EMPLOY A RAILWAY SAFETY COORDINATOR; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 65-1-173, Mississippi Code of 1972, is
8 amended as follows:

9 65-1-173. For the purpose of enforcing and investigating all
10 violations of the railroad laws, and the rules, regulations and
11 general orders of the Mississippi Transportation Commission
12 promulgated thereunder, the commission is hereby authorized to
13 employ six (6) inspectors * * *. The salaries of the
14 inspectors * * * shall be fixed by the commission, subject to the
15 state personnel system law as provided under Section 25-9-101 et
16 seq. The inspectors shall devote their full time to the
17 performance of their duties and shall take an oath faithfully to
18 perform the duties of their positions. The commission shall
19 require bonds to be carried on such employees as the commission
20 may deem necessary, the cost thereof to be paid by the commission.

21 The inspectors shall be selected after an examination, as
22 prescribed by the commission, as to physical and mental fitness,
23 knowledge of the railroad laws, the rules and regulations of the
24 commission, the laws of this state pertaining to arrest and any
25 other examination as may be prescribed by the commission. An
26 inspector, at the time of appointment, shall be a citizen of the
27 State of Mississippi, of good moral character, and shall not be
28 less than twenty-one (21) years of age.

29 The inspectors of the Mississippi Transportation Commission
30 may enter upon private property upon which a railroad facility is
31 located that is connected to but not a part of the general
32 railroad system of transportation, at reasonable times and in a
33 reasonable manner to perform an inspection, investigation or
34 surveillance of facilities, equipment, records and operations
35 relating to the packaging, loading or transportation of hazardous
36 materials or other materials to determine whether the railroad
37 facility complies with the applicable federal or state safety
38 statutes, rules, regulations or orders. Any inspection,
39 investigation or surveillance performed on the site of a
40 manufacturing facility shall be performed in compliance with the
41 safety rules or regulations of the facility.

42 SECTION 2. This act shall take effect and be in force from
43 and after July 1, 2001.