

Public Law 110–432
110th Congress

An Act

To amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DIVISION A—RAIL SAFETY

SEC. 1. SHORT TITLE; TABLE OF CONTENTS; AMENDMENT OF TITLE 49.

(a) SHORT TITLE.—This division may be cited as the “Rail Safety Improvement Act of 2008”.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 420. EMPLOYEE SLEEPING QUARTERS.

Section 21106 is amended—

(1) by inserting “(a) IN GENERAL.—” before “A railroad carrier”;

(2) by striking “sanitary and give those employees and individuals an opportunity for rest free from the interruptions caused by noise under the control of the carrier;” in paragraph (1) and inserting “sanitary, give those employees and individuals an opportunity for rest free from the interruptions caused by noise under the control of the carrier, and provide indoor toilet facilities, potable water, and other features to protect the health of employees;”; and

(3) by adding at the end the following:

“(b) CAMP CARS.—Not later than December 31, 2009, any railroad carrier that uses camp cars shall fully retrofit or replace such cars in compliance with subsection (a).

“(c) REGULATIONS.—Not later than April 1, 2010, the Secretary of Transportation, in coordination with the Secretary of Labor, shall prescribe regulations to implement subsection (a)(1) to protect the safety and health of any employees and individuals employed to maintain the right of way of a railroad carrier that uses camp

cars, which shall require that all camp cars comply with those regulations by December 31, 2010. In prescribing the regulations, the Secretary shall assess the action taken by any railroad carrier to fully retrofit or replace its camp cars pursuant to this section.

“(d) COMPLIANCE AND ENFORCEMENT.—The Secretary shall determine whether a railroad carrier has fully retrofitted or replaced
Deadlines.
Deadline.
49 USC 20109.

122 STAT. 4894 PUBLIC LAW 110-432—OCT. 16, 2008
a camp car pursuant to subsection (b) and shall prohibit the use of any non-compliant camp car. The Secretary may assess civil penalties pursuant to chapter 213 for violations of this section.”.