

Assembly Bill No. 384—Assemblymen
Hickey; Goicoechea and Grady

CHAPTER.....

AN ACT relating to railroads; exempting an engineer who is driving a locomotive in a quiet zone established pursuant to federal regulations from provisions requiring the ringing of the bell or the sounding of the whistle of the locomotive; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Federal Railroad Administration of the United States Department of Transportation prescribes standards for sounding locomotive horns when locomotives approach and pass through public highway-rail grade crossings. The Federal Railroad Administration also provides standards for the creation and maintenance of quiet zones within which locomotive horns need not be sounded. (49 C.F.R. Part 222)

Under existing Nevada law, an engineer who drives a locomotive is guilty of a misdemeanor if he or she fails to ring the bell or sound the whistle of the locomotive at least 80 rods from any place where the railway crosses a traveled road or street. (NRS 705.430) This bill exempts from this state law requirement an engineer who drives a locomotive through a quiet zone established pursuant to federal regulations.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. (Deleted by amendment.)

Sec. 2. NRS 705.430 is hereby amended to read as follows:

705.430 ~~Every~~

1. Except as otherwise provided in subsection 2, every engineer driving a locomotive on any railway who ~~shall fail~~ *fails* to ring the bell or sound the whistle *or horn* upon ~~such~~ *the* locomotive ~~;~~ *or to* cause the ~~same~~ *bell, whistle or horn* to be rung or sounded ~~;~~ *at* least 80 rods from any place where ~~such~~ *the* railway crosses a traveled road or street ~~;~~ *where such road or street* ~~that~~ *is* customarily used by the public for the purpose of travel , ~~[(except in cities where other regulations are required).]~~ *or who fails* to continue the ringing of ~~such~~ *the* bell or *the* sounding of ~~such~~ *the* whistle *or horn* until ~~such~~ *the* locomotive ~~shall have~~ *is* crossed ~~such~~ *the* road or street, ~~shall be~~ *is* guilty of a misdemeanor.



2. The provisions of subsection 1 do not apply in any quiet zone established pursuant to regulations of the Federal Railroad Administration of the United States Department of Transportation.

3. As used in this section, "quiet zone" has the meaning ascribed to it in 49 C.F.R. § 222.9.

