

ASSEMBLY BILL NO. 384—ASSEMBLYMEN  
HICKEY; GOICOECHEA AND GRADY

MARCH 21, 2011

Referred to Committee on Transportation

SUMMARY—Revises provisions governing certain duties of engineers who drive locomotives. (BDR 58-978)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

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:**

- 1 The Federal Railroad Administration of the United States Department of
- 2 Transportation prescribes standards for sounding locomotive horns when
- 3 locomotives approach and pass through public highway-rail grade crossings. The
- 4 Federal Railroad Administration also provides standards for the creation and
- 5 maintenance of quiet zones within which locomotive horns need not be sounded.
- 6 (49 C.F.R. Part 222)
- 7 Under existing Nevada law, an engineer who drives a locomotive is guilty of a
- 8 misdemeanor if he or she fails to ring the bell or sound the whistle of the
- 9 locomotive at least 80 rods from any place where the railway crosses a traveled
- 10 road or street. (NRS 705.430) This bill exempts from this state law requirement an
- 11 engineer who drives a locomotive through a quiet zone established pursuant to
- 12 federal regulations.

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

- 1 **Section 1.** (Deleted by amendment.)
- 2 **Sec. 2.** NRS 705.430 is hereby amended to read as follows:
- 3 705.430 ~~Every~~



\* A B 3 8 4 R 1 \*

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

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

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

