



1 Section 2. R.S. 45:561 and 562 are hereby repealed.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

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#### DIGEST

Present law (R.S. 48:212(D)) authorizes DOTD to enter into agreements with the federal government or any federal agency to establish and administer a railroad safety and inspection program to the extent authorized by federal law.

Present law (R.S. 45:561 and 562) authorizes the Louisiana Public Service Commission (LPSC) to perform any act and issue any rules or orders as permitted by the Federal Railroad State Safety Participation regulations (49 C.F.R. Part 212) but prohibits the LPSC from requiring a railroad facility owner or operator to alter or cease rail operations and requires any inspection, investigation, or surveillance performed on the site of a manufacturing facility by the LPSC to comply with safety rules or regulations of such facility, including security clearance at the front gate if appropriate.

Proposed law provides DOTD is the sole state agency authorized to enter into such agreements to establish and administer a railroad safety and inspection program.

Proposed law repeals conflicting authority of the LPSC in present law.

Effective August 1, 2014.

(Amends R.S. 48:212(D); repeals R.S. 45:561 and 562)