



Rep. Jay Hoffman

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LRB100 03783 AWJ 24378 a

1 AMENDMENT TO HOUSE BILL 535

2 AMENDMENT NO. _____. Amend House Bill 535, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 8, line 4, by deleting "or cross"; and

5 on page 8, line 11, by replacing "maintain, cross," with
6 "maintain,"; and

7 on page 8, by replacing lines 14 through 19 with the following:
8 "control of a railroad, the right to enter upon includes the
9 installation, construction, operation, repair, maintenance, or
10 removal of wire, cable, fiber, conduit, or related facilities
11 that are at, above, or below grade and that cross the real
12 estate or rights-of-way in a manner that runs generally
13 perpendicular to the railroad tracks or railroad right-of-way.
14 For the purposes of this subsection (f), and only in the case
15 of real estate or rights-of-way in possession of or in the
16 control of a railroad, the right to enter upon does not apply

1 to wire, cable, fiber, conduit, or related facilities that run
2 along, within, and generally parallel to, but do not cross, the
3 railroad tracks or railroad right-of-way. No entry shall be
4 made until at least"; and

5 on page 8, line 25, by replacing "repair, crossing," with
6 "repair, ,""; and

7 on page 9, by replacing lines 4 through 6 with the following:

8 "published and publicly available American Railway
9 Engineering and Maintenance-of-Way Association standards
10 and the published and publicly available standards for the
11 appropriate railroad for, such installation, maintenance,
12 repair, or removal;"; and

13 on page 9, line 16, by deleting "crossing,"; and

14 on page 9, line 24, by replacing "repair, crossing," with
15 "repair, ,""; and

16 on page 10, line 6, by deleting "crossing,"; and

17 on page 10, line 8, after "public", by inserting "or employee";
18 and

19 on page 10, line 21, by deleting "crossing,"; and

1 on page 11, line 7, by replacing "repair, crossing," with
2 "repair, ,"; and

3 on page 12, line 24, by deleting "crossing,"; and

4 on page 21, line 25, by deleting "or cross"; and

5 on page 22, line 7, by replacing "maintain, cross," with
6 "maintain, ,"; and

7 on page 22, by replacing lines 9 through 14 with the following:

8 "possession of or in control of a railroad, the right to enter
9 upon includes the installation, construction, operation,
10 repair, maintenance, or removal of wire, cable, fiber, conduit,
11 or related facilities that are at, above, or below grade and
12 that cross the real estate or rights-of-way in a manner that
13 runs generally perpendicular to the railroad tracks or railroad
14 right-of-way. For the purposes of this subsection (f), and only
15 in the case of real estate or rights-of-way in possession of or
16 in the control of a railroad, the right to enter upon does not
17 apply to wire, cable, fiber, conduit, or related facilities
18 that run along, within, and generally parallel to, but do not
19 cross, the railroad tracks or railroad right-of-way. No entry
20 shall be made"; and

1 on page 22, line 21, by replacing "repair, crossing," with
2 "repair, ,"; and

3 by replacing line 26 on page 22 through line 2 on page 23 with
4 the following:

5 "published and publicly available American Railway
6 Engineering and Maintenance-of-Way Association standards
7 and the published and publicly available standards for the
8 appropriate railroad for, such installation, maintenance,
9 repair, or removal;"; and

10 on page 23, line 12, by deleting "crossing,"; and

11 on page 23, line 20, by replacing "repair, crossing," with
12 "repair, ,"; and

13 on page 24, line 2, by deleting "crossing,"; and

14 on page 24, line 4, after "public", by inserting "or employee";
15 and

16 on page 24, line 13, by replacing "15 business" with "30 ~~15~~
17 ~~business~~"; and

18 on page 25, line 3, by replacing "repair, crossing," with
19 "repair, ,"; and

1 on page 43, line 6, by deleting "or cross"; and

2 on page 43, line 14, by deleting "crossings or"; and

3 on page 43, line 20, by deleting "crossing or"; and

4 on page 43, line 24, by deleting "crossing,"; and

5 on page 44, line 6, by deleting "any crossing or to"; and

6 on page 44, immediately below line 15, by inserting the
7 following:

8 "(f) Beginning on the effective date this amendatory
9 Act of the 100th General Assembly, the Transportation
10 Division of the Illinois Commerce Commission shall include
11 in its annual Crossing Safety Improvement Program report a
12 brief description of the number of cases decided by the
13 Illinois Commerce Commission and the number of cases that
14 remain pending before the Illinois Commerce Commission
15 under this subsection (9) for the period covered by the
16 report."