

BILL ANALYSIS

Senate Research Center
85R11294 JAM-D

S.B. 1384
By: Perry
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the 81st Legislature, Regular Session, 2009, Senator Carona authored S.B. 481, relating to safety for certain contract carriers used in the railroad industry.

Over the years railroads have changed their operations by increasing the distance between crew change points. In order to meet federal hours of service limitations for an operating crew, more than one crew is needed to complete the trip.

Railroads now contract with outside vendors (contract carriers) to comply with the crew transportation services requirement.

S.B. 481 requires that the Texas Department of Public Safety adopt drug and alcohol testing and minimum liability insurance regulations for the contract carriers, and the railroad companies that hire them.

On August 14, 2005, two railroad employees were severely injured when the driver of a contracted carrier was transporting them. Justin Little, a BNSF conductor, and Steve Morgan, a BNSF engineer, the driver along with his cousin ran off the road near Coleman, Texas, and struck a tree.

As a result from his injuries from this accident, Justin Little is disabled for life. He is dependent on others for his continuous care.

The driver of the contract carrier tested positive for methamphetamines. The company had hired the driver only two days before without taking an application, performing a background check, or administering a pre-employment drug screen.

S.B. 1384 seeks to have S.B. 481 from the 81st Legislature, Regular Session, 2009, named the "Justin Little Act."

As proposed, S.B. 1384 amends current law relating to the designation of certain legislation on contract carriers as the Justin Little Act.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides that Chapter 126 (S.B. 481), Acts of the 81st Legislature, Regular Session, 2009, is designated as the Justin Little Act.

SECTION 2. Effective date: upon passage or September 1, 2017.