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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE NO. 900

February 16, 2009
Authored by Juhnke, Masin, Hornstein, Eken, Hansen and others
The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

A bill for an act

relating to pesticides; regulating application by railroads; amending Minnesota Statutes 2008, section 18B.07, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 18B.07, is amended by adding a subdivision to read:

Subd. 9. **Pesticide application by railroads.** (a) This subdivision applies only to common carrier railroads.

(b) A railroad company applying pesticide to its property must give 48 hours advance posted notice to its employees reasonably anticipated to work in the area where application is to be performed. The notice must include the anticipated date and time of pesticide application, a list of the active ingredients in the pesticide used, and the safe reentry time as defined by the pesticide manufacturer's label instructions.

(c) Employees must not be required to work in the affected areas in a manner that is inconsistent with the label instructions.

(d) An employee who believes exposure to pesticide residue is hazardous to that employee's individual health may refuse service in an area where pesticide has been applied in the preceding 24 hours. The employer may request medical documentation providing evidence of the condition asserted by the employee for refusal to work in the affected area.

(e) Pesticide must not be applied to occupied or unoccupied locomotives, track repair equipment, or on-track housing units.