

SENATE BILL NO. 1743

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

7416S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 389, RSMo, by adding thereto one new section relating to reports of certain railroad incidents.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 389, RSMo, is amended by adding thereto
2 one new section, to be known as section 389.1220, to read as
3 follows:

389.1220. 1. For purposes of this section,
2 "personally identifying information" includes a crew
3 member's or engineer's name, home address, personal
4 telephone number, driver's license number, Social Security
5 number, or other information that could reasonably be used
6 to identify or locate such individual.

7 2. Personally identifying information of train crew
8 members and engineers contained in reports or communications
9 related to railroad incidents involving motor vehicles shall
10 be redacted from any publicly released records.

11 3. Unredacted copies of such records shall be
12 accessible only:

13 (1) To the employing railroad or its authorized
14 representatives;

15 (2) By court order, and to others specifically
16 authorized by such order; or

17 (3) To law enforcement agencies, the attorney
18 general's office, or the department of transportation if the
19 information is necessary to perform their official duties.

20 4. If a court determines that a crew member or
21 engineer was not at fault in a railroad incident involving a
22 motor vehicle, such person's identifying information shall
23 remain confidential in all public records.

24 5. The department of transportation shall enforce this
25 section and may promulgate rules to ensure compliance and
26 confidentiality. Any rule or portion of a rule, as that
27 term is defined in section 536.010, that is created under
28 the authority delegated in this section shall become
29 effective only if it complies with and is subject to all of
30 the provisions of chapter 536 and, if applicable, section
31 536.028. This section and chapter 536 are nonseverable and
32 if any of the powers vested with the general assembly
33 pursuant to chapter 536 to review, to delay the effective
34 date, or to disapprove and annul a rule are subsequently
35 held unconstitutional, then the grant of rulemaking
36 authority and any rule proposed or adopted after August 28,
37 2026, shall be invalid and void.

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