

## CHAPTER 601

### DEFINITIONS AND MISCELLANEOUS

#### §5001. Definitions

As used in this Part, unless the context otherwise indicates, the following terms have the following meanings. [PL 1987, c. 141, Pt. A, §4 (NEW).]

**1. Railroad.** "Railroad" includes every commercial, interurban and other railway and each and every branch and extension thereof by whatsoever power operated, together with all tracks, bridges, trestles, rights-of-way, subways, tunnels, stations, depots, union depots, ferries, yards, grounds, terminals, terminal facilities, structures and equipment and all other real estate, fixtures and personal property of every kind used in connection therewith, owned, controlled, operated or managed for public use in the transportation of persons or property.

[PL 1987, c. 141, Pt. A, §4 (NEW).]

**1-A. Off-system railroad.** "Off-system railroad" includes any railroad not connected to the national rail system and not regulated by the Federal Railroad Administration or its successors.

[PL 1993, c. 67, §1 (NEW).]

**2. Railroad company.** "Railroad company" includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court owning, controlling, operating or managing any railroad for compensation within this State.

[PL 1987, c. 141, Pt. A, §4 (NEW).]

**3. Steam railroad or steam railroad company.** "Steam railroad" or "steam railroad company" means any railroad or terminal company, however chartered, using steam as its motive power or using Diesel engines; and the term "electric railroad" or "electric railroad company" means any railroad or terminal company using electricity as its motive power.

[PL 1987, c. 141, Pt. A, §4 (NEW).]

**4. Transportation of persons.** "Transportation of persons" includes every service in connection with or incidental to the safety, comfort and convenience of the person transported and the receipt, carriage and delivery for that person and his baggage.

[PL 1987, c. 141, Pt. A, §4 (NEW).]

**5. Transportation of property.** "Transportation of property" includes every service in connection with or incidental to the transportation of property, including in particular its receipt, delivery, elevation, transfer, switching, carriage, ventilation, refrigeration, icing, dunnage, storage and handling, and the transmission of credit by express or telegraph companies.

[PL 1987, c. 141, Pt. A, §4 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A4 (NEW). PL 1993, c. 67, §1 (AMD).

#### §5002. Liability of railroads for payment of laborers

Every railroad company, in making contracts for the building of its road, shall require sufficient security from the contractors for the payment of all labor thereafter performed in constructing the road by persons in their employment. The company is liable to the laborers employed for labor actually performed on the road if they, within 20 days after the completion of the labor, in writing, notify its treasurer that they have not been paid by the contractors, but the liability terminates unless the laborer commences an action against the company within 6 months after giving the notice. [PL 1987, c. 141, Pt. A, §4 (NEW).]

## SECTION HISTORY

PL 1987, c. 141, §A4 (NEW).

**§5003. Collection of judgment against foreign lessee**

When any foreign railroad company, which is or has been doing business in this State as the lessee of any railroad, refuses or neglects for 60 days after demand to pay and discharge any judgment recovered by any person against the company owning that leased road for damages to the property of the person by the doings, misdoings or neglects of the foreign company, its agents or servants, which judgment belongs to the foreign company to pay and discharge, the Superior Court, on complaint, may compel payment thereof by the foreign corporation and make, pass and enforce all necessary orders, decrees and processes for the purpose. [PL 1987, c. 141, Pt. A, §4 (NEW).]

## SECTION HISTORY

PL 1987, c. 141, §A4 (NEW).

**§5004. Judgment creditor may have remedy against lessors**

When any judgment is recovered and the foreign company neglects, for 60 days, to satisfy it, the judgment creditor may have a civil action against the foreign company for the recovery of the amount of the judgment, with interest and costs. [PL 1987, c. 141, Pt. A, §4 (NEW).]

## SECTION HISTORY

PL 1987, c. 141, §A4 (NEW).

**§5005. Powers and duties of the Commissioner of Transportation related to railroad safety of off-system railroads**

The commissioner shall formulate and adopt reasonable rules for safe and healthful operation of off-system railroads operating for the transportation of persons or goods. The rules formulated must conform as far as practicable to nationally recognized standards for the safe operation of railroads. These rules may not become effective sooner than 90 days after the date of their adoption. [PL 1993, c. 67, §2 (NEW).]

## SECTION HISTORY

PL 1993, c. 67, §2 (NEW).

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