

**PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA**

LCB File No. R030-07

September 19, 2007

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 703.1545 and 704.307.

A REGULATION relating to railroads; requiring that the surface of a walkway located alongside certain railroad tracks be reasonably smooth and reasonably safe; prescribing the sizes of crushed material that may be used to surface certain such walkways; and providing other matters properly relating thereto.

Section 1. NAC 705.160 is hereby amended to read as follows:

705.160 1. Except as otherwise provided in subsection 3 and NAC 705.010, a walkway alongside track that is required pursuant to the provisions of NAC 705.160 to 705.187, inclusive, must be constructed and maintained in conformity to the standards set forth in NAC 705.160 to 705.187, inclusive.

2. A walkway alongside track that is required pursuant to NAC 705.160 to 705.187, inclusive, must:

(a) Provide a ~~[reasonably regular]~~ surface that is ~~[smooth and safe]~~ *reasonably:*

(1) Regular;

(2) Smooth; and

(3) Safe for use by railroad employees and other persons who have duties in proximity to trains.

(b) Be surfaced with crushed material, asphaltic concrete, planking or other material that does not compromise track drainage. *If crushed material is used for the walkway alongside track:*

(1) In a yard, 100 percent of the crushed material must be able to pass through a 1 1/2-inch square sieve opening and 40 to 75 percent of the crushed material must be able to pass through a 3/4-inch square sieve opening.

(2) In a turnout, 60 to 90 percent of the crushed material must be able to pass through a 1 1/2-inch square sieve opening.

(c) Unless the grade of the track is greater than 1 inch in 8 inches, have a grade that is less than 1 inch in 8 inches.

(d) If the walkway is alongside track with a curve greater than 18 degrees, be not less than 1 foot wider than otherwise required.

(e) Be kept reasonably free of hazards and obstructions, including, without limitation, fuel, oil, sand, posts and rocks.

3. The provisions of this section will be temporarily suspended during periods of heavy rain or snow, derailments, rock and earth slides and similar abnormal periods and for a reasonable time thereafter to permit restoration work.

4. Compliance with the provisions of NAC 705.160 to 705.187, inclusive, is not a complete defense to any civil action brought pursuant to NRS 705.260 to 705.340, inclusive, or for the violation of a railroad safety regulation or order.