

**HOUSE BILL NO. 1255**

Introduced by

Representatives Roers Jones, Beadle, Boschee, Heinert

Senators Elkin, Myrdal, Robinson

1 A BILL for an Act to amend and reenact section 49-10.1-05 of the North Dakota Century Code,  
2 relating to the powers of railroad police.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 49-10.1-05 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **49-10.1-05. Railroad police.**

7 Railroad police officers who are designated by a railroad to be licensed under the laws of  
8 this state, while ~~engaged in their~~within the scope of employment with the railroad, have the  
9 authority of a "law enforcement officer" as defined under section 12.1-01-04 for the purpose of  
10 ~~arresting any person;~~

11 1. ~~Arresting an individual~~ committing a felony on railroad property or associated with  
12 railroad equipment, ~~or to arrest a person;~~

13 2. ~~Arresting an individual~~ committing a misdemeanor involving railroad property or  
14 relating to persons or property being transported by the railroad, or awaiting  
15 transportation by the railroad, ~~and may remove;~~

16 3. ~~Issuing a citation to an individual committing an infraction or noncriminal offense on or~~  
17 ~~relating to railroad property, or to individuals or property being transported by the~~  
18 ~~railroad, or awaiting transportation by the railroad; and~~

19 4. ~~Removing~~ an individual from a train who has no right to be there, or who is engaging  
20 in a conduct prohibited by title 12.1.