Florida Senate - 2008

Bill No. CS/CS/HB 1399, 2nd Eng.



	CHAMBER ACTION
	Senate . House
1	Senator Dockery moved the following amendment :
2	
3	Senate Amendment
4	Between line(s) 2348 and 2349
4 5	Between line(s) 2348 and 2349 and insert:
5	and insert:
5 6	and insert: <u>6. Any such contract must include an express prohibition</u>
5 6 7	and insert: <u>6. Any such contract must include an express prohibition</u> against the freight rail operator, or its successors,
5 6 7 8	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u>
5 6 7 8 9	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u>
5 6 7 8 9 10	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u> <u>department-owned rail corridor during the operating hours of the</u>
5 6 7 8 9 10 11	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u> <u>department-owned rail corridor during the operating hours of the</u> <u>commuter rail service; and, notwithstanding any other provision</u>
5 6 7 8 9 10 11 12	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u> <u>department-owned rail corridor during the operating hours of the</u> <u>commuter rail service; and, notwithstanding any other provision</u> <u>of this subsection, the department shall have no duty or</u>
5 6 7 8 9 10 11 12 13	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u> <u>department-owned rail corridor during the operating hours of the</u> <u>commuter rail service; and, notwithstanding any other provision</u> <u>of this subsection, the department shall have no duty or</u> <u>authority to contractually assume any duty to protect, defend,</u>
5 6 7 8 9 10 11 12 13 14	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u> <u>department-owned rail corridor during the operating hours of the</u> <u>commuter rail service; and, notwithstanding any other provision</u> <u>of this subsection, the department shall have no duty or</u> <u>authority to contractually assume any duty to protect, defend,</u> <u>indemnify, and hold harmless a freight operator for any liability</u>
5 6 7 8 9 10 11 12 13 14 15	and insert: <u>6. Any such contract must include an express prohibition</u> <u>against the freight rail operator, or its successors,</u> <u>transporting or storing any railroad car containing any hazardous</u> <u>substance listed in Table 302.4 of 40 C.F.R. s. 302.4 in any</u> <u>department-owned rail corridor during the operating hours of the</u> <u>commuter rail service; and, notwithstanding any other provision</u> <u>of this subsection, the department shall have no duty or</u> <u>authority to contractually assume any duty to protect, defend,</u> <u>indemnify, and hold harmless a freight operator for any liability</u> <u>arising while a freight operator is in violation of this</u>

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