

SB 723-3
(LC 1985)
1/28/25 (HE/ps)

Requested by Senator GORSEK

**PROPOSED AMENDMENTS TO
SENATE BILL 723**

1 On page 1 of the printed bill, line 10, delete “consisting of a certified lo-
2 comotive engineer and a certified conductor”.

3 On page 2, delete lines 15 through 43 and insert:

4 **“SECTION 4.** ORS 824.992 is amended to read:

5 “824.992. (1) Violation of ORS 824.062 is a Class D violation.

6 “(2) Violation of ORS 824.064 is a Class A misdemeanor.

7 “(3) Violation of ORS 824.082 (1), 824.084 or 824.088 by a railroad is a
8 Class A violation.

9 “(4) Violation of ORS 824.082 (2) is a Class A violation.

10 “(5) As used in subsection (3) of this section, ‘railroad’ means a railroad
11 as defined by ORS 824.020 and 824.022.

12 “(6) Subject to ORS 153.022, violation of ORS 824.060 (2), 824.106 or
13 824.108 or any rule promulgated pursuant thereto is a Class A violation.

14 “(7) A person is subject to the penalties under subsection (8) of this sec-
15 tion if the person knowingly:

16 “(a) Transports by railroad any hazardous waste listed under ORS 466.005
17 or rules adopted thereunder to a facility that does not have appropriate au-
18 thority to receive the waste under ORS 466.005 to 466.385 and 466.992.

19 “(b) Disposes of any hazardous waste listed under ORS 466.005 or rules
20 adopted thereunder without appropriate authority under ORS 466.005 to
21 466.385 and 466.992.

1 “(c) Materially violates any terms of permit or authority issued to the
2 person under ORS 466.005 to 466.385 and 466.992 in the transporting or dis-
3 posing of hazardous waste.

4 “(d) Makes any false material statement or representation in any appli-
5 cation, label, manifest, record, report, permit or other document filed, main-
6 tained or used for purposes of compliance with requirements under ORS
7 824.050 to 824.110 for the safe transportation of hazardous wastes.

8 “(e) Violates any rules adopted by the Department of Transportation
9 concerning the transportation of hazardous wastes.

10 “(8) Subject to ORS 153.022, violation of subsection (7) of this section is
11 a Class B misdemeanor. Each day’s violation is a separate offense.

12 “[(9) *Violation of ORS 824.300 or 824.302 is a Class D violation.*]

13 “[(10)] **(9)** Violation of ORS 824.304 is a Class A violation.

14 “[(11)] **(10)** Violation of ORS 824.306 by any railroad company or officer
15 or agent thereof, or any other person is a Class D violation. Each day’s vi-
16 olation is a separate offense.”.

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