

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Railroad Police Act is amended by changing Sections 2, 3, and 4 as follows:

(610 ILCS 80/2) (from Ch. 114, par. 98)

Sec. 2. Conductors of all railroad trains, and the captain or master of any boat carrying passengers within the jurisdiction of this state, is vested with police powers while on duty on their respective trains and boats, and may wear an appropriate badge indicative of this ~~such~~ authority.

In the policing of its properties any registered rail carrier, as defined in Section 18c-7201 of the Illinois Vehicle Code, may provide for the appointment and maintenance of a ~~such~~ police force ~~as it may find necessary and practicable~~ to aid and supplement the police forces of any municipality in the protection of its property and the protection of the persons and property of its passengers and employees, or ~~otherwise~~ in furtherance of the purposes for which the ~~such~~ railroad was organized. While engaged in the conduct of their employment, the members of the ~~such~~ railroad police force have and may exercise the same ~~like~~ police powers ~~as those~~ conferred upon any peace officer employed by a law enforcement agency of this

State, including the authority to issue administrative citations in accordance with the provisions of county or municipal ordinances.

Any registered rail carrier that appoints and maintains a police force shall comply with the following requirements:

(1) Establish an internal policy that includes procedures to ensure objective oversight in addressing allegations of abuse of authority or other misconduct on the part of its police officers.

(2) Adopt appropriate policies and guidelines for employee investigations by police officers. These policies and guidelines shall provide for initiating employee investigations only under the following conditions:

(A) There is reason to believe criminal misconduct has occurred.

(B) In response to an employee accident.

(C) There is reason to believe that the interview of an employee could result in workplace violence.

(D) There is a legitimate concern for the personal safety of one or more employees.

These policies and guidelines shall provide for the right of an employee to request a representative to be present during any interview concerning a non-criminal matter.

(3) File copies of the policies and guidelines adopted under paragraphs (1) and (2) with the Illinois Law

Enforcement Training Standards Board, which shall make them available for public inspection. The Board shall review the policies and guidelines, and approve them if they comply with the Act.

(4) Appeal of a rail carrier's decision. A person adversely affected or aggrieved by a decision of a rail carrier's internal investigation under this Act may appeal the decision to the Illinois State Police. The appeal shall be filed no later than 90 days after the issuance of the decision. The State Police shall review the depth, completeness, and objectivity of the rail carrier's investigation, and may conduct its own investigation of the complaint. The State Police may uphold, overturn, or modify the rail carrier's decision by filing a report of its findings and recommendations with the Illinois Commerce Commission. Consistent with authority under Chapter 18C of the Illinois Vehicle Code and the Commission rules of practice, the Commission shall have the power to conduct evidentiary hearings, make findings, and issue and enforce orders, including sanctions under Section 18c-1704 of the Illinois Vehicle Code.

Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule

not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 94-846, eff. 1-1-07; 95-1010, eff. 6-1-09.)

(610 ILCS 80/3) (from Ch. 114, par. 99)

Sec. 3. When any passenger shall be guilty of disorderly conduct, or use any obscene language, to the annoyance and vexation of passengers or employees, or play any games of cards or other games of chance for money or other valuable thing, upon any railroad train or boat steamboat, the conductor of the ~~such~~ train and captain or master of the boat ~~such steamboat~~ is ~~hereby~~ authorized to stop the his train or boat steamboat, at or near any place where an such offense has been committed or at an available public station or dock, and remove the eject ~~such~~ passenger from the train or boat using only the such force ~~as may be~~ necessary to accomplish the such removal, and may command the assistance of the employees of the railroad company or boat steamboat, or any of the other passengers willing and able to assist with the in such removal; but before removing the passenger the conductor or captain or master doing so he shall tender to the such passenger ~~such proportion of~~ the total fare the passenger he has paid, minus the portion of the total fare attributable to the distance travelled by the passenger prior to being removed from the train or boat as the distance he then is from the place to which he has paid his fare, bears to the whole distance for which he has paid his fare. No operating rule, bulletin, directive, or other order of a

carrier shall contradict or limit the authority granted in this Section.

(Source: Laws 1877, p. 166.)

(610 ILCS 80/4) (from Ch. 114, par. 100)

Sec. 4. When any passenger commits ~~shall be guilty of~~ any crime or misdemeanor upon any train~~7~~ or boat ~~steamboat~~, the conductor, captain or master, or employees of that ~~such~~ train~~7~~ or boat~~7~~, may arrest that ~~such~~ passenger and take him or her before any judge of the circuit court, in any county through which the ~~such~~ boat or train may pass, or in which its trip may begin or terminate, and file an affidavit before the ~~such~~ judge ~~of the circuit court~~, charging the passenger ~~him~~ with the ~~such~~ crime or misdemeanor.

(Source: Laws 1965, p. 3687.)

Section 99. Effective date. This Act takes effect upon becoming law.