STATE OF NEW YORK

136

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the railroad law, in relation to sleep apnea testing for locomotive engineers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The railroad law is amended by adding a new section 97-b to read as follows:

§ 97-b. Medical examinations. 1. To operate an intrastate locomotive in the state of New York, locomotive engineers shall be required as part of their current training to be screened for sleep apnea, as defined in subdivision nine of section two hundred sixty-two of the public health law, by a physician, a certified nurse practitioner to the extent authorized by law and consistent with subdivision three of section sixty-nine hundred two of the education law, or a registered physician assistant who is not the personal physician, nurse practitioner or physician assistant of the locomotive engineer.

2. Locomotive engineers who test positive for sleep apnea shall be required by their employer to attain documentation of compliance with treatment for sleep apnea as qualification to be employed as a locomotive engineer.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD05338-01-9