



DEPARTMENT OF LAW
OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

R76-52

BRUCE E. BABBITT
ATTORNEY GENERAL

76-37

February 3, 1976

The Honorable Tom Moore
Arizona State Senator
Senate Wing, State Capitol
Phoenix, Arizona 85007

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Re: Senate Bill 1143

Dear Senator Moore:

At Mr. Babbitt's request I have reviewed your letter inquiry of January 28, 1976, concerning the subject legislation, and I have reviewed the printed bill itself.

Senate Bill 1143 gives the Arizona Corporation Commission exclusive authority to prescribe rules and regulations requiring notification by any railroad company of movements of defined hazardous materials. As such, the legislation itself imposes no duties upon any railroad company. However, in the event that the Commission does establish the rules and regulations contemplated by the statute, the penalty provisions imposed in A.R.S. Title 40, Chapter 2, Article 9 would be applicable to any violation by a railroad company of such rules and regulations.

Sincerely,

BRUCE E. BABBITT
Attorney General

CHARLES S. PIERSON
Assistant Attorney General

CSP:lc

