

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1757

5 By: Representative Joey Carr
6 By: Senator J. Bryant
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING RAILROADS; TO
10 CREATE THE OFFENSE OF TAMPERING WITH RAIL
11 INFRASTRUCTURE; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 TO AMEND THE LAW CONCERNING RAILROADS;
16 AND TO CREATE THE OFFENSE OF TAMPERING
17 WITH RAIL INFRASTRUCTURE.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

22 (a) The General Assembly finds that:

23 (1) The railroads of this state are essential to the
24 functionality of the state; and

25 (2) It is the obligation of the General Assembly to protect
26 railroads from interference as an essential cog of the transportation
27 infrastructure of the state.

28 (b) The General Assembly intends for this act to eliminate to the
29 extent possible the acts of tampering with, displacing, removing, damaging,
30 disabling, destroying, setting fire to, impairing, or otherwise interfering
31 with rail transport by creating penalties for tampering with, displacing,
32 removing, damaging, disabling, destroying, setting fire to, impairing, or
33 otherwise interfering with rail infrastructure.
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35 SECTION 2. Arkansas Code Title 23, Chapter 12, Subchapter 8, is
36 amended to add an additional section to read as follows:



1 23-12-808. Tampering with rail infrastructure.

2 (a) As used in this section:

3 (1) "Interfere" means to tamper with, displace, remove, damage,
4 disable, destroy, set fire to, impair, obstruct, or otherwise hinder; and

5 (2) "Rail infrastructure" means the following that are located
6 on property owned by a railroad or property owned, leased, possessed,
7 operated, or otherwise used for or in connection with railroad operations:

8 (A) A train, locomotive, freight car, passenger car, or
9 any other on-track vehicle or on-track equipment;

10 (B) A railroad track or structure;

11 (C) A signaling or communication system or component; and

12 (D) A station, terminal, depot, or other facility.

13 (b) A person commits the offense of tampering with rail infrastructure
14 if he or she:

15 (1) Recklessly:

16 (A) Places an obstruction on or within or interferes with

17 a:

18 (i) Part or securement of a rail, track, tie,
19 switch, ballast, or other fixture or device;

20 (ii) Bridge, tunnel, viaduct, tower, culvert, drain,
21 trestle, embankment, parapet; or

22 (iii) Structure that is attached to, connected to,
23 or used with railroad tracks or for the operation of any railroad
24 infrastructure;

25 (B) Interferes with a:

26 (i) Signal, mechanism, device, piece of equipment,
27 bungalow, communication line or antenna, or other appurtenance used in
28 controlling the signal or communication systems of rail infrastructure;

29 (ii) Train control system;

30 (iii) Centralized dispatching system;

31 (iv) Wayside detector;

32 (v) Communication tower;

33 (vi) Buried or aerial facility; or

34 (vii) Highway-rail grade crossing warning system;

35 (C) Places or releases a biological agent or toxin,
36 destructive substance, or destructive device in, upon, near, or on board rail

1 infrastructure;

2 (D) Detaches, initiates an emergency brake application, or
3 otherwise impedes the movement of rail infrastructure;

4 (E) Assaults or injures a rail passenger, railroad
5 employee, or police officer of a railroad or a person on or within rail
6 infrastructure;

7 (F) Makes a terroristic threat to commit any of the acts
8 described in subdivisions (b)(1)(A)-(E) of this section; or

9 (G) Attempts, threatens, or conspires with others to
10 commit any of the acts described in subdivisions (b)(1)(A)-(F) of this
11 section; or

12 (2) Knowingly conveys false information or reports regarding an
13 attempt or alleged attempt to commit any of the acts described in
14 subdivisions (b)(1)(A)-(F) of this section.

15 (c) The offense of tampering with rail infrastructure is a Class D
16 felony.

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