

Pesticide Notification Requirements for Railroad Companies

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Issue

Provide the notice requirements for railroad companies to apply pesticides to their rights-of-way.

Summary

Federal regulations require railroad companies to control vegetation on railroad rights-of-way for safety reasons ([49 C.F.R. § 213.37](#)). Before doing so, state law requires the companies to notify the state and affected municipalities.

Specifically, state law requires any railroad company that applies pesticide to a railroad right-of-way to:

1. provide at least 21 days' notice of the application to the state Department of Transportation (DOT) and the chief elected official or board of selectmen of each municipality where it will apply the pesticide and
2. file a vegetation management plan (VMP) with DOT and these municipalities by February 1 each year.

The VMP must identify targeted vegetation and management methods for the upcoming calendar year. Municipalities must post the VMP on their websites, if they have one, within 30 days after receiving it ([CGS § 22a-66a\(j\)](#)).

A violation is punishable by a fine of up to \$90 ([CGS § 22a-66a\(l\)](#)).

These requirements took effect October 1, 2017 (see [PA 17-230, § 12](#)). Prior to that date, state law exempted railroad companies from providing notice of pesticide applications in their rights-of-way.

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