

## CHAPTER 137

**AN ACT** concerning protections for New Jersey Transit employees and supplementing P.L.1979, c.150 (C.27:25-1 et seq.).

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

C.27:25-24.1 Short title.

1. This act shall be known and may be cited as the “New Jersey Transit Corporation Employee Protection Act.”

C.27:25-24.2 NJT prohibited from asserting sovereign immunity in certain situations, subject to certain federal statutes, regulations.

2. The New Jersey Transit Corporation, the New Jersey Transit Rail Operations, Inc., and any of their successors and assigns who operate, manage, or develop the railroad system in this State shall not assert any defense of jurisdictional or substantive sovereign immunity with respect to any claim or cause of action arising under the “Federal Employers’ Liability Act” (45 U.S.C. s.51 et seq.), the “Railway Labor Act” (45 U.S.C. s.151 et seq.), the “Railroad Retirement Act of 1974” (45 U.S.C. s.231 et seq.), the “Railroad Retirement Tax Act” (26 U.S.C. s.3201 et seq.), the “Railroad Unemployment Insurance Act” (45 U.S.C. s.351 et seq.), the “Federal Railroad Safety Act” (49 U.S.C. s.20101 et seq.), and 49 C.F.R. parts 200-272, asserted against any of those entities in State or federal court and, if such defense is found to be available, the defense shall be waived .

The New Jersey Transit Corporation, the New Jersey Transit Rail Operations, Inc., and any of their successors and assigns who operate, manage, or develop the railroad system in this State shall be subject to the provisions of the “Federal Employers’ Liability Act” (45 U.S.C. s.51 et seq.), the “Railway Labor Act” (45 U.S.C. s.151 et seq.), the “Railroad Retirement Act of 1974” (45 U.S.C. s.231 et seq.), the “Railroad Retirement Tax Act” (26 U.S.C. s.3201 et seq.), the “Railroad Unemployment Insurance Act” (45 U.S.C. s.351 et seq.), the “Federal Railroad Safety Act” (49 U.S.C. s.20101 et seq.), and 49 C.F.R. parts 200-272.

3. This act shall take effect immediately and shall apply to any cause of action arising under any of the laws provided in section 2 of this act asserted in a lawsuit filed on or after the effective date of this act, as well as to any applicable cause of action arising under any of those laws asserted in a lawsuit previously filed in any State or federal court that has not been dismissed with prejudice or been finally adjudicated, including any cases pending in any court of appeals as of the effective date of this act.

Approved June 26, 2019.