

RAILROAD CODE OF 1993 (EXCERPT)
Act 354 of 1993

462.259 Liability of railroad company for loss or damage by fire.

Sec. 259.

A railroad company building, owning, or operating a railroad in this state is liable for all loss or damage to property by fire originating from engines passing over the roads, fires set by company employees by order of the officers of the road, or otherwise originating in the constructing or operating of the railroad. However, a railroad company is not liable if it proves to the satisfaction of the court or jury that the fire originated from fire by engines whose machinery or smokestack was in good order and properly managed, or fires originating in building, operating, or repairing the railroad, and that all reasonable precautions had been taken to prevent their origin, and that proper efforts had been made to extinguish the fire in case of their extending beyond the limits of the road, when the existence of the fire is communicated to any of the officers of the company.

History: 1993, Act 354, Imd. Eff. Jan. 14, 1994