

**13-904. The rule of liability; interstate commerce not an issue.**

When an employee of a railroad is [injured] [killed] while engaged in [his] [her] employment in interstate commerce and the [injury] [death] is caused in whole or in part by the negligence of the railroad or by reason of any defect or insufficiency resulting from the railroad's negligence, the railroad is liable in damages.

USE NOTES

This instruction is to be used when it is admitted, or established by the evidence as a matter of law, that the plaintiff was employed by the railroad while engaged in interstate commerce.

[As amended, effective November 1, 1991.]