131st General Assembly

Regular Session   **S. B. No. 229**

2015-2016

Senators Schiavoni, Yuko

Cosponsors: Senators Brown, Hughes, Cafaro, Williams, Oelslager, Skindell, Tavares, Thomas, Gentile

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A BILL

To enact section 4999.09 of the Revised Code to	1
require the crews of freight trains to consist	2
of at least two individuals.	3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4999.09 of the Revised Code be	4
enacted to read as follows:	5
Sec. 4999.09. (A) A train or light engine used in	6
connection with the movement of freight shall have a crew that	7
consists of at least two individuals. No superintendent,	8
trainmaster, or other employee of a railroad shall order or	9
otherwise require a train or light engine used in connection	10
with the movement of freight to be operated unless it has a crew	11
that consists of at least two individuals.	12
As used in this division, "train or light engine used in	13
connection with the movement of freight" does not include	14
hostler service or utility employees.	15
(B) Whoever purposely violates division (A) of this	16
section is liable for a civil penalty of not less than two	17

hundred fifty but not more than one thousand dollars. For a 18

second violation of division (A) of this section within three 19

years of the first violation, the person is liable for a civil 20

penalty of not less than one thousand but not more than five 21

thousand dollars. For a third or subsequent violation of 22

division (A) of this section within three years of the first 23

violation, the person is liable for a civil penalty of not less 24

than five thousand but not more than ten thousand dollars. 25

The attorney general, upon the request of the public 26

utilities commission, shall bring a civil action to collect the 27

penalties described in this division. All penalties collected 28

under this division shall be deposited into the state treasury 29

to the credit of the public utilities fund created in section 30

4905.10 of the Revised Code. 31