

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 439**

**Representative Hagan, R.**

**Cosponsors: Representatives Foley, Letson, Garland, Murray, Gerberry,  
Phillips, Carney, Yuko, Antonio**

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**A B I L L**

To enact section 4963.30 of the Revised Code to 1  
provide that if a train will be carrying 80,000 2  
pounds or more of hazardous materials, the 3  
railroad company must provide the train crew with 4  
a list of those hazardous materials at least ten 5  
hours prior to the train's scheduled departure 6  
time. 7

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

**Section 1.** That section 4963.30 of the Revised Code be 8  
enacted to read as follows: 9

**Sec. 4963.30.** (A) If a train that will be departing from any 10  
location within this state will be transporting eighty thousand 11  
pounds or more of hazardous materials, the railroad company that 12  
owns or leases the train shall provide each member of the crew who 13  
will be on that train with a written document that lists all the 14  
hazardous materials that will be transported by that train at the 15  
time of departure. The railroad company shall provide each member 16  
of the crew with the written document not later than ten hours 17  
prior to the train's scheduled departure time. 18

(B) A railroad company that fails to comply with the 19  
requirement contained in division (A) of this section is liable 20  
for a civil penalty of one thousand dollars per occurrence. The 21  
failure of a member of a train crew to receive the list described 22  
in division (A) of this section in a timely manner as prescribed 23  
in that division constitutes such an occurrence. The attorney 24  
general, upon the request of the public utilities commission, 25  
shall bring a civil action to collect penalties described in this 26  
division. All penalties collected under this division shall be 27  
deposited into the state treasury to the credit of the public 28  
utilities fund created in section 4905.10 of the Revised Code. 29