

As Introduced

130th General Assembly  
Regular Session  
2013-2014

S. B. No. 354

Senators Gentile, Cafaro

Cosponsors: Senators Brown, Schiavoni, Skindell, Turner

—

A B I L L

To enact section 4999.09 of the Revised Code to 1  
require the crews of freight trains to consist of 2  
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 connection 6  
with the movement of freight shall have a crew that consists of at 7  
least two individuals. No superintendent, trainmaster, or other 8  
employee of a railroad shall order or otherwise require a train or 9  
light engine used in connection with the movement of freight to be 10  
operated unless it has a crew that consists of at least two 11  
individuals. 12

As used in this division, "train or light engine used in 13  
connection with the movement of freight" does not include hostler 14  
service or utility employees. 15

(B) Whoever purposely violates division (A) of this section 16  
shall be liable for a civil penalty of not less than two hundred 17  
fifty but not more than one thousand dollars. For a second 18  
violation of division (A) of this section within three years of 19

the first violation, the person shall be 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 division 22  
(A) of this section within three years of the first violation, the 23  
offender shall be liable for a civil penalty of not less than five 24  
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 to 29  
the credit of the public utilities fund created in section 4905.10 30  
of the Revised Code. 31