



Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

H.B. 439

129th General Assembly
(As Introduced)

Reps. R. Hagan, Foley, Letson, Garland, Murray, Gerberry, Phillips, Carney, Yuko, Antonio

BILL SUMMARY

- Requires a railroad company that owns or leases a train that will be transporting 80,000 pounds or more of hazardous materials to provide a written list of those hazardous materials to each member of the crew of that train.
- Requires the list of hazardous materials to be provided not later than ten hours prior to the train's scheduled departure time.
- Provides that a railroad company that fails to comply with the bill's requirement is liable for a civil penalty of \$1,000 per occurrence.
- Requires the Attorney General, upon the request of the Public Utilities Commission, to bring a civil action to collect the civil penalties established by the bill.

CONTENT AND OPERATION

Notice to train crew members of hazardous materials

The bill requires a railroad company that owns or leases a train that will be departing from any location within Ohio and will be transporting 80,000 pounds or more of hazardous materials to provide each member of the crew who will be on that train with a written document that lists all the hazardous materials that will be transported by that train at the time of departure. The list must be provided to each crew member not later than ten hours prior to the train's scheduled departure time.¹

¹ R.C. 4963.30(A).

A railroad company that fails to comply with the bill's requirement is liable for a civil penalty of \$1,000 per occurrence. The failure of a member of a train crew to receive the list in a timely manner constitutes a violation of the bill's requirement. The Attorney General, upon the request of the Public Utilities Commission, is required to bring a civil action to collect the civil penalties. The Attorney General must deposit all civil penalties collected under the bill into the state treasury to the credit of the existing Public Utilities Fund.²

HISTORY

ACTION	DATE
Introduced	02-02-12

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² R.C. 4963.30(B).