

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**S. B. No. 229**

**Senators Schiavoni, Yuko**

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

---

**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