

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 89**

**Senators Skindell, Yuko**

**Cosponsors: Senators Brown, Thomas, Williams, Schiavoni**

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**A BILL**

To amend sections 4907.01 and 4907.99 and to enact 1  
sections 4907.70 and 4907.71 of the Revised Code 2  
to establish standards for lighting in a rail 3  
yard and to establish penalties for railroad 4  
companies that are in violation of those 5  
standards. 6

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

**Section 1.** That sections 4907.01 and 4907.99 be amended 7  
and sections 4907.70 and 4907.71 of the Revised Code be enacted 8  
to read as follows: 9

**Sec. 4907.01.** As used in sections 4907.01 to ~~4907.63~~ 10  
4907.71 of the Revised Code: 11

(A) "Public utility" has the same meaning as in section 12  
4905.02 of the Revised Code. 13

(B) "Telephone company," "street railway company," and 14  
"interurban railroad company" have the same meanings as in 15  
section 4905.03 of the Revised Code. 16

(C) "Railroad" has the same meaning as in section 4907.02 17

of the Revised Code. 18

(D) "Public highway" has the same meaning as in section 19  
4921.01 of the Revised Code. 20

Sec. 4907.70. A railroad company shall illuminate each 21  
rail yard in accordance with the standards established by the 22  
illuminating engineering society of North America. 23

Sec. 4907.71. A railroad company employee or a 24  
representative of a railroad company employee may file a 25  
complaint with the public utilities commission alleging a 26  
violation of section 4907.70 of the Revised Code. The railroad 27  
company employee or representative of the employee shall submit 28  
along with the complaint written evidence that, prior to the 29  
filing of the complaint, the employee or representative 30  
requested the railroad company to address the circumstances that 31  
gave rise to the complaint. The commission shall establish 32  
procedures for the filing of such a complaint. 33

**Sec. 4907.99.** (A) Whoever violates section 4907.21 of the 34  
Revised Code shall be fined not less than one hundred nor more 35  
than one thousand dollars. 36

(B) Whoever violates section 4907.22 of the Revised Code 37  
shall be fined not less than five hundred nor more than one 38  
thousand dollars. 39

(C) Whoever violates section 4907.32 of the Revised Code 40  
shall be fined not less than fifty nor more than five hundred 41  
dollars. 42

(D) Whoever violates section 4907.35 or 4907.38 of the 43  
Revised Code shall be fined not less than fifty nor more than 44  
one thousand dollars. 45

(E) Whoever violates section 4907.45 of the Revised Code 46  
shall be fined not more than five hundred dollars, imprisoned 47  
not more than one year, or both. 48

(F) Whoever violates section 4907.473 of the Revised Code 49  
is guilty of a minor misdemeanor. 50

(G) Whoever violates section 4907.63 of the Revised Code 51  
is guilty of a felony of the fifth degree. 52

(H) Whoever recklessly violates section 4907.70 of the 53  
Revised Code shall be fined not more than one hundred dollars. 54  
Each day a violation exists constitutes a separate offense. 55

**Section 2.** That existing sections 4907.01 and 4907.99 of 56  
the Revised Code are hereby repealed. 57