

## HOUSE BILL NO. HB0249

Railroad safety.

Sponsored by: Representative(s) Clifford, Brown, Duncan and  
Hunt and Senator(s) Rothfuss and Schuler

A BILL

for

1 AN ACT relating to railroads; requiring trains to be  
2 operated by a crew of not less than two persons; specifying  
3 applicability; defining terms; providing fines for  
4 violations; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 37-9-506 is created to read:

9

10 **37-9-506. Railroad train crews; civil penalties.**

11

12 (a) No railroad train used in a class I or class II  
13 railroad, as defined by the surface transportation board of  
14 the United States or its successor agency, in connection  
15 with the movement of freight shall be operated in this

1 state unless the train has a crew of at least two (2)  
2 individuals.

3

4 (b) An action to recover a civil penalty for a  
5 willful violation under this section by a railroad company,  
6 corporation or employer may be brought by an aggrieved  
7 party, county attorney, district attorney or the attorney  
8 general. Venue for an action shall be in the circuit court  
9 for the county in which the aggrieved party resides or  
10 where the railroad company, corporation or employer alleged  
11 to have violated this section maintains a principal place  
12 of business in this state or in the county in which the  
13 conduct giving rise to a civil penalty occurred. No party  
14 to an action authorized under this subsection shall be  
15 entitled to a trial by jury. Upon determining that a  
16 railroad company, corporation or employer has violated this  
17 section, the circuit shall impose a penalty of:

18

19 (i) Not less than two hundred fifty dollars  
20 (\$250.00) nor more than one thousand dollars (\$1,000.00)  
21 for a first violation;

22

1           (ii) Not less than one thousand dollars  
2 (\$1,000.00) nor more than five thousand dollars (\$5,000.00)  
3 for a second violation committed within three (3) years;

4

5           (iii) Not less than five thousand dollars  
6 (\$5,000.00) nor more than ten thousand dollars (\$10,000.00)  
7 for a third or subsequent violation committed within three  
8 (3) years.

9

10          (c) This section shall not apply when an employer  
11 allows any person:

12

13           (i) To move locomotives unattached to railcars  
14 within a rail yard;

15

16           (ii) To operate a helper service that  
17 temporarily assists a train that requires additional power.

18

19          **Section 2.** This act is effective July 1, 2021.

20

21

(END)