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HOUSE BILL NO. 34

Offered January 10, 2018

Prefiled November 28, 2017

A *BILL to amend the Code of Virginia by adding a section numbered 56-419.3, relating to railroads; freight train crew requirements; civil penalty.*

Patrons—Heretick, Convirs-Fowler, Herring, Turpin and Ward

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 7 of Chapter 13 of Title 56 a section numbered 56-419.3 as follows:

§ 56-419.3. Crew requirements.

A. A train or light engine used in connection with the movement of railroad freight shall not be operated in the Commonwealth unless the train or light engine has a crew of at least two individuals.

B. This section shall:

1. Apply to a train or light engine used in connection with the movement of railroad freight that shares the same rail corridor as a high-speed passenger or commuter train; and

2. Not apply to a train or light engine used in connection with the movement of railroad freight involving (i) hostler service or (ii) utility employees in yard service.

C. No locality shall adopt any ordinance, order, or resolution in conflict with the provisions of subsection A.

D. A person operating a railroad in the Commonwealth who willfully violates the requirements of subsection A shall, in the discretion of the Commission, be assessed a civil penalty:

1. For a first offense, an amount not to exceed \$500; and

2. For a second offense and any subsequent offense, an amount not to exceed \$1,000.

2. That the provisions of this act shall expire on the fifth day following the date that the Federal Railroad Administration issues a rule requiring two-person train crews on crude oil trains and establishing minimum crew size standards for most main line freight and passenger rail operations.

3. That the provisions of this act shall become effective on October 1, 2018.

INTRODUCED

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