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**HOUSE BILL NO. 1789**

Offered January 9, 2019

Prefiled December 27, 2018

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, Kory, Levine, Lindsey, Mullin, Rasoul, Simon and Turpin

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 a section numbered 56-419.3 as follows:**

**§ 56-419.3. Crew requirements; civil penalty.**

*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 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. The Commission may, by judgment entered after a hearing on notice duly served on any person not less than 30 days before the date of the hearing, impose a civil penalty on a person operating a railroad in the Commonwealth who willfully violates the requirements of subsection A. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund. The civil penalty:*

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

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

**2. That the provisions of this act shall become effective on October 1, 2019.**

INTRODUCED

HB1789