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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 186  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 186's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsors:** Reps. Hillyer and Sheehy

**Local Impact Statement Procedure Required:** Yes

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### Highlights

- The bill proposes new laws governing rail yard walkway safety and illumination, two-person freight train crews, and public roadway obstruction that delays emergency vehicles.
- The Public Utilities Commission of Ohio (PUCO) is the state regulatory agency responsible for railroad safety. The bill permits PUCO to assess civil penalties if provisions in the bill are violated. Any such forfeiture related to crew requirements would be deposited in the Public Utilities Fund (Fund 5F60), while other fines arising from rail yard violations would be deposited into the GRF according to continuing law.

### Detailed Analysis

The bill creates new requirements concerning the railroad industry, and grants PUCO the authority to levy penalties for noncompliance with new provisions governing freight train crews and rail yards. A brief summary of the provisions with a fiscal impact are cited below. Please refer to the LSC bill analysis for a detailed description of these provisions.

H.B. 186 requires a train or light engine that moves freight to have a crew that consists of at least two individuals. No railroad superintendent, trainmaster, or other railroad employee may order or "otherwise require" such a train or light engine to be operated unless it has at least a two-person crew.

The bill requires a railroad company to illuminate each rail yard in accordance with the standards established by the Illuminating Engineering Society of North America. Those standards specify the lighting for different areas and types of yards. The bill also imposes up to \$100 per day fine of each reckless violation of these requirements and permits an employee of the company to file a complaint with PUCO.

H.B. 186 requires a railroad company to construct a walkway adjacent to any track the company constructs in its rail yard in areas where company employees frequently perform switching activities (at least one shift per day, five or more days a week). Under the bill, “walkway” means any walkway in a rail yard, but does not include tracks constructed in industry yards owned by an entity other than a railroad company. For each daily reckless violation of the walkway requirements, the bill imposes a fine of up to \$100.

Recent statistics show that PUCO regulates 47 railroad companies. If a railroad company violates the minimum crew requirement, the bill specifically directs PUCO to deposit associated fines into the Public Utilities Fund (Fund 5F60). The fund is used for PUCO’s administration and its supervision and jurisdiction over the state’s railroads and public utilities. Penalties arising from rail yard requirements created by the bill must be deposited into the GRF, per continuing law in R.C. 4905.57.

Another provision in the bill amends the existing prohibition that prevents a railroad company from obstructing a public highway, street, or road. If such an obstruction occurs, and it delays an emergency vehicle, the bill prescribes a penalty. Under continuing law, these violations are not subject to PUCO regulation, and any resulting fines would be distributed to affected political subdivisions.