As Introduced

136th General Assembly
Regular Session
2025-2026

H. B. No. 851

Representatives Grim, Pizzulli

Cosponsors: Representatives Piccolantonio, Synenberg, McNally, Bryant Bailey, Brewer, Rogers

To enact section 4955.37 of the Revised Code to establish "Safe Zones" on railroad tracks for the safety of railroad employees and to name this act the Paul Payne Safe Zone Act.

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

Section 1. That section 4955.37 of the Revised Code be enacted to read as follows:

Sec. 4955.37. (A) As used in this section:

(1) "Obstruction" includes scrap, lumber, debris, vegetation that exceeds four inches in height, marked unevenness of terrain, buildings, structures, or any other material or condition which endangers a railroad employee.

(2) "Railhead" means the rounded uppermost part of a rail.

(3) "Railroad" has the same meaning as in section 4907.02 of the Revised Code.

(4) "Safe zone" means the immediate area surrounding railroad tracks with the following parameters:

(a) A vertical distance of twenty-two feet and six inches

from the top of the railhead;

(b) A horizontal distance of fifteen feet in either direction from the center line of the railroad track;

(c) When occupied by railroad equipment in motion, a horizontal distance of not less than thirty feet in either direction from the center line of the railroad track when the track speed is ten miles per hour or less;

(d) When occupied by railroad equipment in motion, a horizontal distance of not less than fifty feet in either direction from the center line of the railroad track that includes a direct means of evacuating the area when the track speed is greater than ten miles per hour.

(5) "Substandard clearance" means an obstruction within the safe zone parameters provided in division (A)(4) of this section.

(B) A railroad shall ensure that each safe zone under the railroad's control remains clear of all obstructions in order to ensure the safety of any person that is actively operating, conducting maintenance, or performing any other task within the scope of that person's duties within the safe zone. If an obstruction cannot reasonably be removed from a safe zone by a railroad, the railroad, upon approval from the public utilities commission, shall install a sign that warns railroad employees of a substandard clearance.

(C) The public utilities commission shall conduct periodic inspections of safe zones to ensure compliance with this section. Inspections may be unannounced.

The commission also may conduct such an inspection after receiving a complaint of a safe zone violation.

(D)(1) If the commission receives a complaint, both of the following may attend the inspection with the commission:

(a) A designated representative of the person making the complaint;

(b) A representative of the railroad that controls the safe zone and that is the subject of the complaint.

(2) Personal protective equipment shall be worn during all inspections and any safety rules of the railroad shall be followed by those making or accompanying the inspection.

(E) Whoever violates this section shall be fined not less than one hundred dollars or more than five hundred dollars for each violation. Each day of a continued violation is a separate offense.

(F) The commission may adopt rules in accordance with Chapter 119. of the Revised Code in order to implement and administer this section.

Section 2. This act shall be known as the Paul Payne Safe Zone Act.