

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**H. B. No. 194**

**Representatives Sheehy, Lepore-Hagan**

**Cosponsors: Representatives Hillyer, Kelly, Lightbody, Miller, A., Miller, J.,  
O'Brien, Skindell, Smith, K., Sobecki, Weinstein**

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**A BILL**

To enact section 4999.09 of the Revised Code 1  
regarding two-person freight train crews. 2

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

**Section 1.** That section 4999.09 of the Revised Code be 3  
enacted to read as follows: 4

**Sec. 4999.09.** (A) A train or light engine used in 5  
connection with the movement of freight shall have a crew that 6  
consists of at least two individuals. No superintendent, 7  
trainmaster, or other employee of a railroad shall order or 8  
otherwise require a train or light engine used in connection 9  
with the movement of freight to be operated unless it has a crew 10  
that consists of at least two individuals. 11

As used in this division, "train or light engine used in 12  
connection with the movement of freight" does not include 13  
hostler service or utility employees. 14

(B) (1) The public utilities commission may assess a civil 15  
penalty against a person who has willfully violated division (A) 16  
of this section. If the commission assesses a civil penalty, the 17

commission shall do so as follows: 18

(a) If, within three years of the violation, the 19  
commission has not previously assessed a civil penalty against 20  
the person under this section, in an amount not less than two 21  
hundred and fifty, but not more than one thousand dollars; 22

(b) If, within three years of the violation, the 23  
commission has previously assessed one civil penalty against the 24  
person under this section, in an amount not less than one 25  
thousand, but not more than five thousand dollars; 26

(c) If, within three years of the violation, the 27  
commission has previously assessed two or more civil penalties 28  
against the person under this section, in an amount not less 29  
than five thousand, but not more than ten thousand dollars. 30

(2) The attorney general, upon the request of the public 31  
utilities commission, shall bring a civil action to collect the 32  
penalties described in division (B)(1) of this section. All 33  
penalties collected under the division shall be deposited into 34  
the state treasury to the credit of the public utilities fund 35  
created in section 4905.10 of the Revised Code. 36