

1 HOUSE BILL NO. 385
 2 AMENDMENT IN THE NATURE OF A SUBSTITUTE
 3 (Proposed by the House Committee on Labor and Commerce
 4 on _____)
 5 (Patron Prior to Substitute--Delegate Simonds)

6 A BILL to amend the Code of Virginia by adding in Article 7 of Chapter 13 of Title 56 a section numbered
 7 56-425.1 relating to railroad safety; minimum train crew; movement of freight; civil penalties.

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That the Code of Virginia is amended by adding in Article 7 of Chapter 13 of Title 56 a section**
 10 **numbered 56-425.1 as follows:**

11 **§ 56-425.1. Minimum train crew; movement of freight; civil penalties.**

12 No railroad company shall use or allow the use of any train, locomotive, or light engine in
 13 connection with the movement of freight unless it has a crew consisting of at least two qualified
 14 individuals. The provisions of this section shall not apply to the use of a train, locomotive, or light engine
 15 for hostler or utility service. Any railroad company violating the provisions of this section shall be fined
 16 not less than \$500 nor more than \$2,000. For a second violation within three years, such railroad company
 17 shall be fined not less than \$1,000 nor more than \$5,000. For a third or subsequent violation within three
 18 years of the first violation, such railroad company shall be fined not less than \$5,000 nor more than
 19 \$10,000. The number of violations within three years shall be measured by the dates that the violations
 20 occur.

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