

HOUSE BILL NO. 385

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Labor and Commerce

on _____)

(Patron Prior to Substitute--Delegate Simonds)

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

Be it enacted by the General Assembly of Virginia:

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

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

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

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