

2015 Regular Session

SENATE BILL NO. 194

BY SENATOR BROWN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RAILROADS. Requires two-person crew on trains transporting freight. (8/1/15)

AN ACT

To enact R.S. 45:570, relative to railroads; to require a two-person crew on trains carrying freight; to prescribe penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 45:570 is hereby enacted to read as follows:

§570. Railroads; minimum crew size

A. No railroad train or light engine used in connection with the movement of freight shall be operated in this state unless it has a crew consisting of at least two individuals. As used in this Section, the term "railroad train or light engine used in connection with the movement of freight" shall not include hostler service or utility employees. Any railroad or its supervisor who violates this Section may be assessed a penalty, according to the following schedule:

(1) A penalty of not less than five hundred dollars nor more than one thousand dollars for the first violation.

(2) A penalty of not less than one thousand dollars nor more than five thousand dollars for the second violation committed within a three-year period.

1 **(3) A penalty of not less than five thousand dollars nor more than ten**
 2 **thousand dollars for the third or any subsequent violation committed within a**
 3 **three-year period.**

4 **B. The provisions of this Section shall be enforced by the Public Service**
 5 **Commission and the Department of Public Safety and Corrections, office of**
 6 **state police.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

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Proposed law prohibits the operation in this state of a railroad train or light engine used in connection with the movement of freight without a crew consisting of a minimum of two individuals.

Proposed law excludes hostler service or utility employees from the term "railroad train or light engine used in connection with the movement of freight".

Proposed law provides for the assessment of penalties for violation against a railroad or its supervisor as follows:

- (1) Not less than \$500 nor more than \$1,000 for the first violation.
- (2) Not less than \$1,000 nor more than \$5,000 for a second violation committed within a three-year period.
- (3) Not less than \$5,000 nor more than \$10,000 for a third and subsequent violation committed within a three-year period.

Proposed law provides for enforcement by the Public Service Commission and the Department of Public Safety and Corrections, office of state police.

Effective August 1, 2015.

(Adds R.S. 45:570)