

1 AN ACT relating to railroad operations.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 277 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section, "light engine" means a locomotive operating without a*
6 *train behind it.*

7 *(2) A train or light engine used in connection with the movement of freight shall not*
8 *be operated unless it has a crew consisting of at least two (2) individuals located*
9 *in the operating cab.*

10 *(3) The requirements of subsection (2) of this section shall not apply to a train or*
11 *light engine used in connection with the movement of freight when engaged in*
12 *the following activities:*

13 *(a) The movement of a train or locomotive engine a short distance within a*
14 *railroad yard or mechanical facility;*

15 *(b) En route switching; or*

16 *(c) Any work that would require the train conductor to perform duties assigned*
17 *to his or her train.*

18 ➔Section 2. KRS 277.990 is amended to read as follows:

19 (1) Any railroad company that violates or permits any of its agents or employees to
20 violate any of the provisions of KRS 277.110, subsection (1) of 277.160, 277.170,
21 277.180, 277.210, 277.230 or 277.300 shall, in addition to subjecting itself to any
22 damages that may be caused by such violation, be fined not less than one hundred
23 dollars (\$100) nor more than five hundred dollars (\$500) for each offense, to be
24 recovered in the Franklin Circuit Court or in the circuit court of any county through
25 which the railroad operates a line of road.

26 (2) Any person who violates any of the provisions of subsection (2) of KRS 277.160
27 shall be fined not less than five dollars (\$5) nor more than one hundred dollars

1 (\$100) for each offense.

2 (3) Any railroad company that violates, or permits any of its agents or employees to
3 violate, any of the provisions of KRS 277.190, shall, in addition to subjecting itself
4 to liability for any damage caused thereby, be fined not less than ten dollars (\$10)
5 nor more than fifty dollars (\$50) for each offense. Prosecutions under this
6 subsection shall not be commenced after six (6) months from the commission of the
7 offense charged in the prosecution.

8 (4) Any person who violates any of the provisions of KRS 277.250 shall be fined fifty
9 dollars (\$50) or imprisoned for thirty (30) days, or both.

10 (5) Any owner or operator of a railroad running through or within this state as a
11 common carrier of persons or property or both, for compensation, who either
12 operates for its employees, or who furnishes to its employees for their
13 transportation to or from the place or places where they are required to labor, a rail
14 track motor car that has not been fully equipped as required by KRS 277.245, shall
15 be fined not less than one hundred dollars (\$100) nor more than five hundred
16 dollars (\$500) for each offense and each day or part of a day it operates or furnishes
17 each of such rail track motor cars not so equipped as provided in KRS 277.245 to
18 its employees for operation to or from the place or places where they are required to
19 work shall constitute a separate offense.

20 (6) Any railroad company that violates the provisions of KRS 277.200 shall be fined
21 not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for
22 each offense. If a grade crossing or drawbridge is obstructed by two (2) or more
23 trains stopping and standing thereon in succession without allowing accumulated
24 highway or water traffic to pass, the obstruction by each such successive train shall
25 constitute a separate offense.

26 **(7) Any railroad company that willfully violates, or permits any of its agents or**
27 **employees to willfully violate, the provisions of Section 1 of this Act shall be fined**

1 a civil penalty of not less than one thousand dollars (\$1,000) nor more than two
2 thousand dollars (\$2,000) for the first offense, not less than five thousand dollars
3 (\$5,000) nor more than seven thousand five hundred dollars (\$7,500) for a
4 second offense within a three (3) year period, and not less than ten thousand
5 dollars (\$10,000) nor more than fifteen thousand dollars (\$15,000) for a third or
6 subsequent offense within a three (3) year period. Civil penalties collected under
7 this subsection shall be distributed to the road fund.