

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 86

By: Boren

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5
6 AS INTRODUCED

7 An Act relating to railroads; defining terms;
8 requiring certain railroad trains to have two
9 certified crew members aboard; providing exceptions;
10 providing penalty and penalty amount; providing for
11 codification; providing an effective date; and
12 declaring an emergency.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 104 of Title 66, unless there is
16 created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. "Certified crew member" means an employee involved in the
19 operation of a railroad train, including a certified engineer or a
20 certified conductor, and not including a hostler service employee,
21 utility employee, or contractor;

22 2. "Helper service" means the use of a locomotive or group of
23 locomotives to assist another railroad train that is experiencing
24 mechanical failure or lacks the power to traverse difficult terrain,

1 including the travel to or from the location where the assistance is
2 provided; and

3 3. "Hostler service" means the movement of locomotives that are
4 not attached to rail cars within a rail yard.

5 B. Any person, firm, or corporation operating a railroad train
6 in connection with carrying freight in this state shall have at
7 least two certified crew members aboard the railroad train while the
8 railroad train is in motion.

9 C. The provisions of this section shall not apply to:

10 1. Trains that are used primarily for the purpose of
11 transporting people from one location to another or are used for
12 tourism purposes such as scenic, historic, or excursion rides;

13 2. A locomotive or group of locomotives that are traveling no
14 faster than thirty (30) miles per hour outside of a rail yard and
15 are attached only to a cabooses;

16 3. Helper service;

17 4. Hostler service; and

18 5. The movement of a train for the purpose of loading or
19 unloading freight, provided that the train is moving no faster than
20 ten (10) miles per hour.

21 D. The Department of Public Safety shall have the authority to
22 issue a citation to any person, firm, or corporation that violates
23 the provisions of this section. Such person, firm, or corporation
24 shall be subject to a fine:

1 1. Not less than Two Hundred Fifty Dollars (\$250.00) nor more
2 than One Thousand Dollars (\$1,000.00) for a first offense;

3 2. More than One Thousand Dollars (\$1,000.00) but not to exceed
4 Five Thousand Dollars (\$5,000.00) for a second offense committed
5 within three (3) years; or

6 3. More than Five Thousand Dollars (\$5,000.00) but not to
7 exceed Ten Thousand Dollars (\$10,000.00) for a third or subsequent
8 offense committed within three (3) years.

9 SECTION 2. This act shall become effective July 1, 2025.

10 SECTION 3. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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