

SENATE BILL NO. 1093

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BECK.

3370S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 389, RSMo, by adding thereto one new section relating to railroad freight transport, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 389, RSMo, is amended by adding thereto
2 one new section, to be known as section 389.1200, to read as
3 follows:

389.1200. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Crew member", an employee of the common carrier
4 involved in the operation of a railroad train or light
5 engine; "crew member" does not include a hostler service or
6 utility employee or contractor of the carrier;

7 (2) "Helper service", the use of a locomotive or a
8 group of locomotives to assist another train that is
9 experiencing mechanical failure or lacks the power to
10 traverse difficult terrain; "helper service" includes the
11 travel to or from a location where the assistance is
12 provided;

13 (3) "Hostler service", the movement of locomotives
14 that are not attached to rail cars within a rail yard.

15 2. A railroad train or light engine operated in
16 connection with carrying freight shall have at least two
17 qualified crew members.

18 3. Subsection 2 of this section does not apply to:

- 19 (1) Helper services;
20 (2) Hostler services; and
21 (3) The movement of a train for the purpose of loading
22 or unloading freight so long as the train is moving no more
23 than ten miles per hour.

24 4. A person who willfully violates the provisions of
25 subsection 2 of this section is guilty of a:

26 (1) Class D misdemeanor for a first offense and shall
27 be punished by a fine not to exceed five hundred dollars;

28 (2) Class C misdemeanor for a second offense and shall
29 be punished by a fine not to exceed seven hundred dollars;

30 and

31 (3) Class B misdemeanor for a third or subsequent
32 offense and shall be punished by a fine not to exceed one
33 thousand dollars.

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