

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

*As Engrossed: H1/31/01 H2/15/01*

# A Bill

HOUSE BILL 1221

4  
5 By: Representatives Gillespie, Ledbetter, Bradford, J. Elliott, Green, Bright, Dees, Lendall  
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## For An Act To Be Entitled

9 AN ACT TO PROVIDE THAT ALL RAILROADS MUST HAVE AT  
10 LEAST TWO PERSONS ON ALL TRAINS AND LOCOMOTIVES  
11 OPERATING WITHIN THIS STATE; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 AN ACT TO PROVIDE THAT ALL RAILROADS  
14 MUST HAVE AT LEAST TWO PERSONS ON ALL  
15 TRAINS AND LOCOMOTIVES OPERATING WITHIN  
16 THIS STATE.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 23, Chapter 12, Subchapter 5 is  
23 amended to add an additional section to read as follows:

24 23-12-514. (a) For purposes of this section:

25 (1) "Cab" means the crew compartment of the engine;

26 (2) "Control unit" means the unit which controls the movement of  
27 multiple units; and

28 (3) "Engine" means a locomotive or a unit propelled by any form  
29 of energy, or combination of energy, or a combination of such units operated  
30 from a single source of control, used in train or yard service.

31 (b) No rail carrier providing common carrier railroad transportation  
32 for compensation may allow the operation of any railroad train or locomotive  
33 in this state unless the railroad train or locomotive has a crew of at least  
34 two persons, one of whom shall be present in the cab and operate the control  
35 unit at all times. The other crew member shall be present in the cab but may  
36 dismount the train or locomotive when necessary to perform switching

1 activities and other duties in the course of his or her employment.

2 (c) A violation of this section is a misdemeanor punishable by a fine  
3 of not less than two hundred fifty dollars (\$250) nor more than one thousand  
4 dollars (\$1,000) for the first offense and no less than three thousand dollars  
5 (\$3,000) nor more than seven thousand dollars (\$7,000) for the second or  
6 subsequent offense.

7 (d) The provisions of this section do not apply to the operation of  
8 railroad trains or locomotives by maintenance workers within a designated shop  
9 or repair area, or to railroads operated only in connection with an industrial  
10 enterprise.

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12 */s/ Gillespie, et al.*  
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