

HOUSE BILL 352

K3
HB 492/21 – ENT

3lr1753

By: **Delegates Stein, Addison, Allen, Barve, Boyce, Charkoudian, Davis, Feldmark, Foley, Grossman, Guyton, Harris, Healey, Holmes, Kaufman, Lehman, J. Long, Love, Phillips, Ruth, Shetty, Simpson, Smith, Stewart, Terrasa, Williams, and Ziegler**

Introduced and read first time: January 26, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Railroad Company – Movement of Freight – Required Crew**

3 FOR the purpose of prohibiting a train or light engine used in connection with the
4 movement of freight from being operated in the State unless it has a certain number
5 of crew members; and generally relating to the crew for a train or light engine used
6 in connection with the movement of freight.

7 BY adding to

8 Article – Labor and Employment

9 Section 5.5–110(e)

10 Annotated Code of Maryland

11 (2016 Replacement Volume and 2022 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Labor and Employment**

15 5.5–110.

16 **(E) (1) THIS SUBSECTION APPLIES TO A TRAIN OR LIGHT ENGINE USED IN**
17 **CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT THAT SHARES THE SAME**
18 **RAIL CORRIDOR AS A HIGH-SPEED PASSENGER OR COMMUTER TRAIN.**

19 **(2) THIS SUBSECTION DOES NOT APPLY TO A TRAIN OR LIGHT ENGINE**
20 **USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT INVOLVING:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) HOSTLER SERVICE; OR

(II) UTILITY EMPLOYEES IN YARD SERVICE.

(3) A TRAIN OR LIGHT ENGINE USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT MAY NOT BE OPERATED IN THE STATE UNLESS THE TRAIN OR LIGHT ENGINE HAS A CREW OF AT LEAST TWO INDIVIDUALS.

(4) (I) A PERSON WHO WILLFULLY VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

1. FOR A FIRST OFFENSE, A FINE OF \$500; AND

2. FOR A SECOND OFFENSE AND ANY SUBSEQUENT OFFENSE COMMITTED WITHIN A PERIOD OF 3 YEARS OF THE SECOND OFFENSE, A FINE OF \$1,000 FOR EACH OFFENSE.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A RAILROAD COMPANY SHALL BE SOLELY RESPONSIBLE FOR THE ACTIONS OF ITS AGENTS OR EMPLOYEES IN VIOLATION OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.