

# SENATE BILL NO. 345

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BECK.

1253S.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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