

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3034

By: Gaddis

AS INTRODUCED

An Act relating to railroads; prohibiting certain acts by trains; providing maximum fine amount; providing standards for assessing penalty; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 190 of Title 66, unless there is created a duplication in numbering, reads as follows:

A. No railcar shall be brought to rest in a position which blocks vehicle traffic at a railroad intersection with a public highway or street for longer than ten (10) minutes.

B. No railcar transporting explosive, flammable or hazardous material as recognized by the Federal Railroad Administration shall be brought to rest for longer than ten (10) minutes on a bridge or overpass that is above, below or beside a public highway or street.

C. No railcar transporting explosive, flammable or hazardous material as recognized by the Federal Railroad Administration shall

1 be brought to rest for longer than two (2) hours within three  
2 hundred (300) yards of a hospital, school or multifamily or single-  
3 family residence.

4 D. Any person or corporation that violates a provision of this  
5 section shall be subject to a fine not to exceed Ten Thousand  
6 Dollars (\$10,000.00) for each violation. In determining the amount  
7 of the fine, the court shall consider the severity of the violation,  
8 whether there is a history of violations by the person or  
9 corporation and whether there were any good-faith efforts to  
10 minimize the severity of the violation.

11 SECTION 2. This act shall become effective November 1, 2018.

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