AN ACT relating to railroads.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 277 IS CREATED TO READ AS FOLLOWS:

(1) A train or light engine used in connection with the movement of freight shall not be operated unless it has a crew consisting of at least two (2) individuals. For purposes of this section, "train or light engine used in connection with the movement of freight" does not include:

(a) Utility employees; or

(b) The movement of a train or locomotive engine a short distance within a railroad yard or mechanical facility.

(2) Any person who knowingly violates this section shall:

(a) For the first offense, be liable for a civil penalty of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000);

(b) For the second offense within a three (3) year period, be liable for a civil penalty of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000); and

(c) For the third or subsequent offense within a three (3) year period, be liable for a civil penalty of not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000).

(3) The moneys collected under subsection (2) of this section shall be remitted to the road fund.