

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3034 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Karen Gaddis

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3034

By: Gaddis

7  
8 PROPOSED COMMITTEE SUBSTITUTE

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

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

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

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

20 B. No railcar transporting explosive, flammable or hazardous  
21 material as recognized by the Federal Railroad Administration shall  
22 be brought to rest for longer than two (2) hours on a bridge or  
23 overpass that is above, below or beside a public highway or street.  
24

1 C. No railcar transporting explosive, flammable or hazardous  
2 material as recognized by the Federal Railroad Administration shall  
3 be brought to rest for longer than two (2) hours within three  
4 hundred (300) yards of a hospital, school or multifamily or single-  
5 family residence.

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

13 E. For purposes of this section, a derailed railcar shall not  
14 be considered a railcar brought to rest.

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

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17 56-2-9767 JBH 02/14/18  
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