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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1933

— ● —

ENROLLED

Com. Sub. For
HOUSE BILL No. *2206*

(By Delegate *Mr. Speaku, Mr. Chambers,*
and Delegates Honourable Schoonover
and Ribett)

— ● —

Passed *April 8,* 1933

In Effect *From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2206
(By MR. SPEAKER, MR. CHAMBERS, AND
DELEGATES HOUVOURAS, SCHOONOVER AND TRIBETT)

[Passed April 8, 1993; in effect from passage.]

AN ACT to amend article three, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section one-b, relating to locomotive power units; requiring railroad crew-controlled units to be operated by at least two persons; exceptions; requiring an engineer to be part of the crew; restricting selection of the crew; definitions; and promulgation of rules.

Be it enacted by the Legislature of West Virginia:

That article three, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section one-b, to read as follows:

**ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES
SUBJECT TO REGULATIONS OF COMMISSION.**

§24-3-1b. Locomotive power units; helper units; one person crew prohibited; engineer requirement; restrictions on selection of crew; definitions; promulgation of rules.

1 (a) Except for operation in its yards or terminals, and
2 except where a train is being moved as an actual

3 movement into or from another state not having a
4 requirement of at least two persons controlling a
5 locomotive as is required in this state pursuant to this
6 section, no railroad may permit or require any crew-
7 controlled locomotive power unit, including helper units,
8 that is not attached to a train to be operated by a crew
9 of fewer than two persons. At least one crew member
10 shall be a federal railroad administration certified and
11 licensed locomotive engineer within the meaning of
12 applicable federal statutes and regulations. The second
13 crew member shall be selected from either train service
14 or engine service personnel: *Provided*, That the selection
15 does not violate federal statutes or regulations or local
16 collective bargaining agreements.

17 (b) As used in this section:

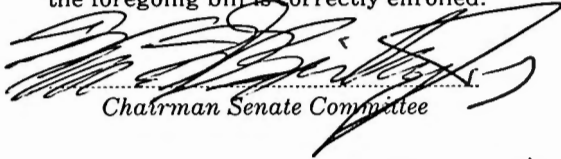
18 (1) "Crew-controlled locomotive" means a locomotive
19 power unit, single or in multiple, which is operated by
20 on-board personnel, but does not include units controlled
21 by radio or other remote control by a crew on another
22 locomotive power unit.

23 (2) "Helper unit" means a locomotive power unit
24 placed at some point in a train for the purpose of
25 supplementing the power available from the locomotive
26 power unit controlling a train.

27 (c) It is unlawful to institute any disciplinary action
28 or other adverse administrative action against any
29 person who reports a violation of or acts to enforce the
30 provisions of this section or this article. The person's
31 remedies under this section are in addition to any other
32 remedies that may be otherwise available.

33 (d) The public service commission shall, on or before
34 the first day of July, one thousand nine hundred ninety-
35 three, promulgate rules to implement the provisions of
36 this section.

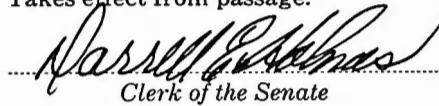
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

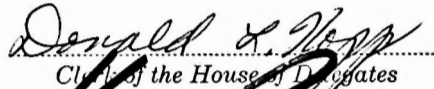

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Chairman Senate Committee


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Chairman House Committee

Originating in the House.

Takes effect from passage.

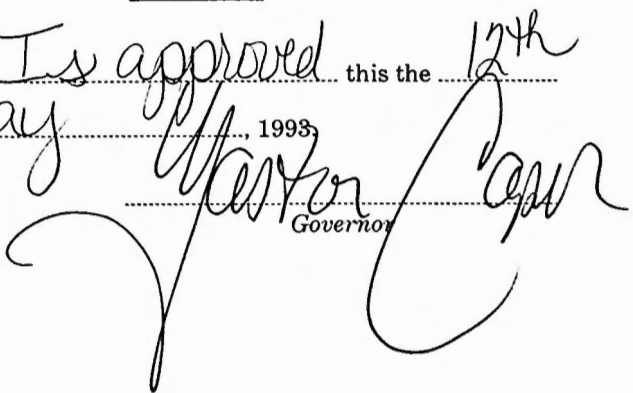

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within Is approved this the 12th
day of May, 1993.


.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/20/93

Time 10:25 am