

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 356

By: Boren

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5
6 AS INTRODUCED

7 An Act relating to the operation of railroads;
8 defining terms; prohibiting operation of trains
9 exceeding a certain length; creating a civil penalty;
10 providing for certain fine for certain violations;
11 allowing for Transportation Commission to request
12 Attorney General take certain action; directing
13 deposit of certain monies; providing for
14 codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 104 of Title 66, unless there is
18 created a duplication in numbering, reads as follows:

19 As used in this act:

20 1. "Branch line" means a secondary railroad track that branches
21 off from a main line;

22 2. "Main line" means a Class I railroad as documented in
23 current timetables filed by the Class I railroad with the Federal
24 Railroad Administration under 49 C.F.R., Section 217.7 when the

1 railroad has five million (5,000,000) or more gross tons of railroad
2 traffic transported annually;

3 3. "Railroad" means any form of non-highway ground
4 transportation that runs on rails or electromagnetic guideways;

5 4. "Train" means one or more locomotives, coupled with or
6 without cars, that require an air brake test in accordance with 49
7 C.F.R., Part 232 or 238; and

8 5. "Siding or passing track" means a sidetrack with switches at
9 both ends.

10 SECTION 2. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 105 of Title 66, unless there is
12 created a duplication in numbering, reads as follows:

13 A. No railroad company operating in this state shall run or
14 permit to be run any train that exceeds eight thousand five hundred
15 (8,500) feet in length or exceeds the length of the shortest siding
16 or passing track on which it travels on any main line or branch
17 line, or that routinely or repeatedly blocks any intersection for
18 periods exceeding ten (10) minutes at one time.

19 B. Except as provided in subsection C of this section, if any
20 railroad company has been determined by the Transportation
21 Commission as willfully violating subsection A of this section, the
22 company shall be liable for a civil penalty not less than Five
23 Hundred Dollars (\$500.00) per foot nor more than One Thousand
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1 Dollars (\$1,000.00) per foot of the length of a train exceeding the
2 limitation set forth in subsection A of this section.

3 C. Any railroad company that commits a grossly negligent
4 violation or that has a pattern of repeated violations, which the
5 Transportation Commission has determined caused an imminent threat
6 of death or injury to another person or that caused death or injury
7 to another person, shall be subject to a fine not to exceed Two
8 Hundred Fifty Thousand Dollars (\$250,000.00).

9 D. In determining the amount of a civil penalty under this
10 section, the Transportation Commission shall consider the:

11 1. Nature, circumstances, extent, and seriousness of the
12 violation; and

13 2. Degree of culpability, history of violations, ability to
14 pay, and any effect on the violator's ability to continue to do
15 business.

16 E. At the request of the Transportation Commission, the
17 Attorney General may initiate a civil action in any court of
18 competent jurisdiction to collect any civil penalty imposed pursuant
19 to this section. A civil action under this section shall be
20 commenced within three (3) years of the date of the violation or
21 within three (3) years of the latest violation if a repeated offense
22 is alleged.

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F. Any civil penalty received under this section shall be deposited in the State Transportation Fund created under Section 1501.1 of Title 69 of the Oklahoma Statutes.

SECTION 3. This act shall become effective November 1, 2025.

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