

House Bill 190

By: Representatives Williams of the 145th, Jones of the 167th, Hill of the 3rd, Williams of the 168th, Hugley of the 136th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 6 of Chapter 8 of Title 46 of the Official Code of Georgia
2 Annotated, relating to employees engaged in operation of trains generally, so as to require
3 the lead locomotive of trains, cabooses, and each locomotive unit capable of independent
4 operation while in use for the movement of freight to have an automated external defibrillator
5 and a crew composed of at least two individuals; to provide for a definition; to provide for
6 civil monetary penalties; to provide for related matters; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 6 of Chapter 8 of Title 46 of the Official Code of Georgia Annotated,
11 relating to employees engaged in operation of trains generally, is amended by revising Code
12 Section 46-8-150, which was previously reserved, as follows:

13 "46-8-150.

14 (a) As used in this Code section, the term 'automated external defibrillator' means a
15 defibrillator which:

16 (1) Is capable of cardiac rhythm analysis;

17 (2) Will charge and be capable of being activated to deliver a countershock after
18 electrically detecting the presence of certain cardiac dysrhythmias; and

19 (3) Is capable of continuously recording cardiac dysrhythmia at the scene with a
20 mechanism for transfer and storage or for printing for review subsequent to use.

21 (b) On and after October 1, 2019, no train while in use for the movement of freight shall
22 operate without a crew composed of at least two individuals.

23 (c) No later than October 1, 2019, each railroad company shall provide on the lead
24 locomotive of trains, on cabooses, and on each locomotive unit capable of independent
25 operation while in use for the movement of freight an automated external defibrillator
26 maintained in a plainly marked and accessible location and a crew of at least two

27 individuals who are trained and qualified to operate such device by an organization
28 recognized by the Department of Public Health for such purposes.
29 (d) Any railroad company violating the provisions of this Code section shall be fined a
30 civil monetary penalty by the commission of not less than \$250.00 for a first offense or for
31 an offense not otherwise provided for under this subsection, not less than \$1,000.00 nor
32 more than \$5,000.00 for a second offense committed within three years of a first offense,
33 and not less than \$5,000.00 nor more than \$10,000.00 for a third or subsequent offense
34 committed within three years of a first offense. Reserved."

35 **SECTION 2.**

36 All laws and parts of laws in conflict with this Act are repealed.