

AT THE RAILROAD'S ELECTION on all cabooses used in road service ~~or~~ FOR RUNS BEYOND A FIFTEEN MILE RADIUS FROM POINT OF DISPATCHMENT ~~other service~~ within this State for the relief and convenience of the employees engaged in such service. INSTALLATION ON EXISTING CABOOSES SHALL BE MADE WHEN THE CABOOSE IS SHOPPED FOR GENERAL REPAIRS, NOT LATER HOWEVER THAN FOUR (4) YEARS FROM THE EFFECTIVE DATE OF THIS ACT. CABOOSES TEMPORARILY SUBSTITUTED FOR REGULAR CABOOSES SHALL NOT BE COVERED HEREBY.

2. All toilet ~~and washing~~ fixtures shall be enclosed in a separate compartment of sufficient dimensions within each caboose used and compartment provided with proper ventilation.

37B. (Compliance). (a) It shall be the duty of all persons engaged in the operation of railroads to comply with any regulation or order of the commission issued under the provisions of this Act, and to furnish any information required by the commission for purposes of this Act.

(b) The commission or its authorized agent may, during reasonable hours, enter the place of operation of any person engaged in the operation of railroads for the purpose of ascertaining whether the standards prescribed by authority of this Act are being complied with.

37C. (Hearing Upon Complaint). Whenever an employee shall file a complaint with the commission charging violation of the regulation of the commission, or the commission upon its own initiative issues a complaint, the person complained of shall be served with a copy thereof and shall, within twenty days, file a written answer with the commission. Within ten days after an answer is filed the commission shall set a date for a hearing of the complaint at a place convenient to both the complainant and the person complained of. The commission may, in its discretion, permit any interested person or organization to intervene. A party to the hearing may appear and be heard in person or by his representative, and may examine or cross-examine witnesses or present other evidence. On motion of a party, the commission may allow a continuance of not to exceed thirty days.

37D. (Order). Within forty-five days after the conclusion of a hearing held under the provisions of this Act, the commission shall issue an order dismissing the complaint or requiring compliance with a regulation of the commission. The commission may, in its discretion, allow the employer not to exceed forty-five days within which to comply with an order. Upon petition any order of the commission shall be reviewed by the circuit court of the county in which the place of employment is located, and in such action the chairman of the commission shall be the defendant. The decision of the circuit court may be appealed to the Court of Appeals.

37E. (Penalty). Any person failing to comply with an order or regulation of the commission authorized by this Act shall be liable to a penalty of twenty-five dollars for each day of noncompliance. The attorney general shall file suit on behalf of the state for any unpaid penalty within one year after the penalty accrues.