

REVISOR'S NOTE: Chapter 8, Acts of 1998, which enacted the Public Utility Companies Article, also enacted this section, which is derived without substantive change from former Art. 89, § 103(a), (b), (c), and (d).

Defined term: "Commissioner" § 5.5-101

5.5-110. SPECIFIC HEALTH AND SAFETY STANDARDS.

(A) SEATING FOR TRANSPORTING EMPLOYEES.

A RAILROAD COMPANY MAY NOT TRANSPORT AN EMPLOYEE TO OR FROM WORK ON A CABOOSE OR LOCOMOTIVE UNLESS THE RAILROAD COMPANY PROVIDES A FIXED SEAT WITH A BACK SUPPORT FOR THE EMPLOYEE.

(B) TOILET FACILITIES.

TO PROTECT THE HEALTH AND SAFETY OF EMPLOYEES, A RAILROAD COMPANY SHALL:

(1) INSTALL AND MAINTAIN WATER OR CHEMICAL TOILET FACILITIES ON EACH CABOOSE USED FOR SERVICE BEYOND A 15-MILE RADIUS FROM A POINT OF DISPATCHMENT WITHIN THE STATE FOR USE BY EMPLOYEES, UNLESS THE CABOOSE IS A TEMPORARY SUBSTITUTE FOR ONE REGULARLY USED FOR THE SERVICE; AND

(2) ENCLOSE ALL TOILET FIXTURES, WITHIN THE CABOOSE, IN A SEPARATE COMPARTMENT OF SUFFICIENT DIMENSIONS THAT IS VENTILATED PROPERLY.

(C) LIGHTING FOR CABOOSES.

(1) THIS SUBSECTION DOES NOT APPLY TO ANY CABOOSE:

(I) OPERATED ON TRACKS OF LESS THAN STANDARD GAUGE;

(II) NORMALLY USED ONLY DURING DAYLIGHT HOURS;

(III) OPERATED ONLY WITHIN A 20-MILE RADIUS FROM POINT OF DISPATCHMENT; OR

(IV) TEMPORARILY SUBSTITUTED FOR A REGULAR CABOOSE.

(2) TO PROTECT THE HEALTH AND SAFETY OF EMPLOYEES, THE COMMISSIONER SHALL REQUIRE EACH RAILROAD COMPANY TO INSTALL AND MAINTAIN:

(I) TWO OR MORE ELECTRIC MARKER LIGHTS ON THE REAR OF EACH CABOOSE IN SERVICE; AND

(II) ONE ELECTRIC LIGHT FOR CLERICAL WORK WITHIN EACH CABOOSE IN SERVICE, FOR WHICH THE RAILROAD COMPANY SHALL DETERMINE THE SOURCE OF ELECTRICITY AND TYPE OF APPLIANCE.

(D) TOWELS AND DRINKING CUPS.