

as unnecessary in light of the use of the word "enjoin".

Defined terms: "Commissioner" § 5.5-101

"Railroad" § 5.5-101

5.5-121. ACCIDENT REPORTS.

(A) REPORTS.

(1) A RAILROAD COMPANY SHALL PROMPTLY REPORT, IN WRITING OR ORALLY, TO THE COMMISSIONER, AFTER THE OCCURRENCE OF AN ACCIDENT RESULTING IN:

(I) A SERIOUS INJURY OR FATALITY TO AN INDIVIDUAL; OR

(II) DAMAGE TO PROPERTY EXCEEDING \$2,900, OR ANY OTHER SUM AS DETERMINED BY FEDERAL REGULATIONS, INCURRED DURING THE OPERATION OF THE RAILROAD IN THE STATE.

(2) THE COMMISSIONER SHALL INVESTIGATE THE OCCURRENCE PROMPTLY AFTER RECEIVING NOTIFICATION OF THE ACCIDENT.

(B) FEDERAL REPORTS.

A RAILROAD COMPANY SHALL PROMPTLY SUBMIT TO THE COMMISSIONER COPIES OF ALL ACCIDENT AND INCIDENT REPORTS FILED WITH THE FEDERAL RAILROAD ADMINISTRATION OF ACCIDENTS AND INCIDENTS OCCURRING IN THE STATE.

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, § 87.

The Public Utility Companies Article Review Committee notes, for the consideration of the General Assembly, that the reference to a specific dollar value of property damage triggering an accident report, \$2,900, is considerably lower than the comparable federal threshold amount of \$6,300, found in 49 CFR § 225.19(e). It may be appropriate to examine whether to increase the State threshold amount, or eliminate it altogether.

Defined terms: "Commissioner" § 5.5-101

"Person" § 1-101

"Railroad" § 5.5-101

"Railroad company" § 5.5-101

"State" § 1-101

5.5-122. PROHIBITED ACTS; CRIMINAL PENALTIES.

(A) VIOLATION OF REGULATIONS ON SANITARY CONDITIONS.

A PERSON WHO VIOLATES ANY REGULATION ADOPTED BY THE COMMISSIONER UNDER § 5.5-109 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION FOR EACH OFFENSE IS SUBJECT TO A FINE NOT EXCEEDING THE LESSER OF THE PENALTY PROVIDED BY THE REGULATION OR \$100.