



**Sub. H.B. 380**

123rd General Assembly  
(As Introduced)

**Reps. Flannery, Sulzer, Patton, Damschroder, Allen, Vesper, Smith, Barrett, Pringle, Ford**

---

**BILL SUMMARY**

- Requires each school district to include railroad safety education in its curriculum.
- Requires the Department of Education to recommend a railroad safety curriculum after considering any curriculums already developed in this state that include this instruction as part of a math and science curriculum.
- Specifies that all fines collected for violations of railroad crossing laws will be used to provide railroad safety instructional materials to school districts.
- Increases the penalty for violation of railroad crossing laws from a fourth degree misdemeanor to a first degree misdemeanor.

---

**CONTENT AND OPERATION**

Current law specifically requires each school board to adopt a curriculum that must include the study of the language arts, geography, United States and Ohio history, government, mathematics, natural science, health education, physical education, the fine arts, and first aid. Moreover, current law specifically requires that each student study, as part of the health education curriculum, each of the following: the nutritive value of foods; the harmful effects of and legal restrictions against the use of drugs, alcoholic beverages, and tobacco; venereal disease education; and in grades kindergarten through six, instruction in personal safety and assault prevention. (Sec. 3313.60.)

### **Railroad safety education requirement**

The bill requires each school district to include railroad safety education in the required curriculum (sec. 3313.60(A)(9)).<sup>1</sup> The bill requires the Department of Education to suggest a railroad safety education curriculum, which the State Board is to provide to school districts. In suggesting a curriculum, the Department is required to consider any curriculums already developed in Ohio that include instruction in each grade level from kindergarten through 12 as a part of the math and science curriculums. The curriculum must be designed to teach about the attributes of trains that make them particularly dangerous (sec. 3301.0719(A)).

### **Funding for railroad safety education instructional materials**

The bill requires the State Board of Education to provide school districts, upon request, with instructional materials for teaching railroad safety. The bill creates the Railroad Safety Education Fund in the State Treasury which the State Board is to use to purchase these materials. The fund will consist of all fines collected for traffic violations at railroad crossings (sec. 3301.0719(B)).

### **Traffic violations at railroad crossings--increased penalty**

Current law requires a person driving a vehicle to stop within 50 feet, but not less than 15 feet from the nearest rail of the railroad track if any of the following circumstances exist at the crossing: a clearly visible signal device giving warning of the immediate approach of a train, a crossing gate is lowered, a flagperson gives or continues to give a signal of the approach or passage of a train, there is insufficient space on the other side of the crossing to accommodate the vehicle without obstructing the passage of other vehicles, or an approaching train is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing. In addition, current law prohibits any person from driving any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed. (Sec. 4511.62.)

Under current law, a person who violates section 4511.62 of the Revised Code is guilty of a misdemeanor of the fourth degree. The bill increases the penalty for violation of section 4511.62 from a fourth degree misdemeanor (up to 30 days imprisonment and \$250 fine) to a first degree misdemeanor (up to six months imprisonment and \$1,000 fine) (sec. 4511.99(O)).

The bill requires the clerk of any court and any traffic violations bureau to forward all fines collected for violations of the above law to the Treasurer of State for deposit into the Railroad Safety Education Fund. (Sec. 4511.62(C).)

---

<sup>1</sup> *The bill does not apply to community schools.*

---

**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	06-08-99	p. 785

H0380-I.123/rss

