

Chapter 879

(House Bill 862 of the 2026 Regular Session)

AN ACT concerning

Railroads – Required Crew for Movement of Freight

FOR the purpose of prohibiting a railroad train used in connection with the movement of freight from being operated in the State unless it has a certain number of crew members; and generally relating to safety requirements for railroads.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 5.5–101(a), (d), and (e)

Annotated Code of Maryland

(2025 Replacement Volume)

BY adding to

Article – Labor and Employment

Section 5.5–110(e)

Annotated Code of Maryland

(2025 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–101(a) and (r)

Annotated Code of Maryland

(2020 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Labor and Employment

5.5–101.

(a) In this title the following words have the meanings indicated.

(d) (1) “Railroad” includes each common carrier by rail and all branches, bridges, cars, extensions, ferries, plants, spurs, stations, subways, switches, terminal facilities, tracks, tunnels, and all equipment used on or in connection with them.

(2) “Railroad” does not include a rapid rail transit system or light rail system operating in the State.

(e) “Railroad company” means:

- (1) the operator of a railroad operating in the State; and
- (2) the State or any political subdivision of the State, while operating a railroad.

5.5–110.

(E) (1) IN THIS SECTION, “RAILROAD TRAIN” HAS THE MEANING STATED IN § 21–101 OF THE TRANSPORTATION ARTICLE.

(2) (I) THIS SUBSECTION APPLIES TO A RAILROAD TRAIN USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT THAT SHARES THE SAME RAIL CORRIDOR AS A HIGH–SPEED PASSENGER OR COMMUTER TRAIN.

(II) THIS SUBSECTION DOES NOT APPLY TO A RAILROAD TRAIN USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT INVOLVING:

- 1. HOSTLER SERVICE; OR**
- 2. UTILITY EMPLOYEES IN YARD SERVICE.**

(3) A RAILROAD TRAIN USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT MAY NOT BE OPERATED IN THE STATE UNLESS THE RAILROAD TRAIN HAS A CREW OF AT LEAST TWO INDIVIDUALS.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PERSON WHO WILLFULLY VIOLATES THIS SUBSECTION IS SUBJECT TO A CIVIL PENALTY ASSESSED BY THE COMMISSIONER OF:

- 1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS SUBPARAGRAPH, A FINE NOT TO EXCEED \$10,000; OR**
- 2. IF THE PERSON PREVIOUSLY COMMITTED A WILLFUL VIOLATION WITHIN THE IMMEDIATELY PRECEDING 3 YEARS, A FINE NOT TO EXCEED \$25,000.**

(II) A RAILROAD COMPANY SHALL BE SOLELY RESPONSIBLE FOR THE ACTIONS OF THE AGENTS OR EMPLOYEES OF THE RAILROAD COMPANY THAT VIOLATE THIS SUBSECTION.

Article – Transportation

21-101.

(a) In this title and Title 25 of this article the following words have the meanings indicated.

(r) “Railroad train” means any locomotive or any other car, rolling stock, equipment, or other device that, alone or coupled to others, is operated on stationary rails.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Section 1 of this Act shall take effect contingent on the enacting of substantially similar legislation in the State of New York, the Commonwealth of Pennsylvania, and the Commonwealth of Virginia.

(b) The Maryland Department of Labor shall notify the Department of Legislative Services within 10 days after the contingency described in subsection (a) of this section is met.

(c) If the Department of Legislative Services receives notice under subsection (b) of this section on or before October 1, 2056, Section 1 of this Act shall take effect on the date notice is received.

(d) If the Department of Legislative Services does not receive notice under subsection (b) of this section on or before October 1, 2056, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, this Act shall take effect October 1, 2026.

Gubernatorial Veto Override, August 3, 2026.