

## **277.990 Penalties.**

- (1) Any railroad company that violates or permits any of its agents or employees to violate any of the provisions of KRS 277.110, subsection (1) of 277.160, 277.170, 277.180, 277.210, 277.230 or 277.300 shall, in addition to subjecting itself to any damages that may be caused by such violation, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense, to be recovered in the Franklin Circuit Court or in the circuit court of any county through which the railroad operates a line of road.
- (2) Any person who violates any of the provisions of subsection (2) of KRS 277.160 shall be fined not less than five dollars (\$5) nor more than one hundred dollars (\$100) for each offense.
- (3) Any railroad company that violates, or permits any of its agents or employees to violate, any of the provisions of KRS 277.190, shall, in addition to subjecting itself to liability for any damage caused thereby, be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50) for each offense. Prosecutions under this subsection shall not be commenced after six (6) months from the commission of the offense charged in the prosecution.
- (4) Any person who violates any of the provisions of KRS 277.250 shall be fined fifty dollars (\$50) or imprisoned for thirty (30) days, or both.
- (5) Any owner or operator of a railroad running through or within this state as a common carrier of persons or property or both, for compensation, who either operates for its employees, or who furnishes to its employees for their transportation to or from the place or places where they are required to labor, a rail track motor car that has not been fully equipped as required by KRS 277.245, shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense and each day or part of a day it operates or furnishes each of such rail track motor cars not so equipped as provided in KRS 277.245 to its employees for operation to or from the place or places where they are required to work shall constitute a separate offense.
- (6) Any railroad company that violates the provisions of KRS 277.200 shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each offense. If a grade crossing or drawbridge is obstructed by two (2) or more trains stopping and standing thereon in succession without allowing accumulated highway or water traffic to pass, the obstruction by each such successive train shall constitute a separate offense.

**Effective:** December 1, 2000

**History:** Amended 2000 Ky. Acts ch. 417, sec. 15, effective December 1, 2000. -- Amended 1970, sec. 201, sec. 2. -- Amended 1964 Ky. Acts ch. 158, sec. 16. -- Amended 1954 Ky. Acts ch. 90, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 773a-2, 786, 793, 805, 806, 842.

**Legislative Research Commission Note** (12/1/2000). The contingency on the effectiveness of this statute set by 2000 Ky. Acts ch. 417, sec. 18, was met, the voters of the Commonwealth having ratified at the general election on November 7, 2000, a constitutional amendment (see 2000 Ky. Acts ch. 399) abolishing the Railroad Commission.

