

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1235 Session of  
2009

INTRODUCED BY CARROLL, BELFANTI, BRENNAN, BRIGGS, COHEN,  
D. COSTA, GEORGE, GINGRICH, JOSEPHS, KORTZ, KOTIK, KULA,  
McILVAINE SMITH, MUNDY, MURT, MYERS, M. O'BRIEN, PRESTON,  
READSHAW, SIPTROTH, K. SMITH, VULAKOVICH AND YOUNGBLOOD,  
APRIL 8, 2009

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 8, 2009

AN ACT

1 Amending the act of October 5, 1984 (P.L.734, No.159), entitled  
2 "An act requiring chemical identification of substances in  
3 the community and on employer premises; requiring the posting  
4 of the identity of these substances by employers and the  
5 labeling of chemicals; requiring information and safety data  
6 on chemicals to be given to the Department of Labor and  
7 Industry, members of the community and employees; requiring  
8 employers to operate educational programs relating to  
9 hazardous substances; providing for further duties of the  
10 Department of Labor and Industry, for complaint procedures,  
11 for investigations, for compliance orders and the enforcement  
12 thereof; and providing penalties," further providing for  
13 special applications relating to Class I railroad companies.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 18 of the act of October 5, 1984  
17 (P.L.734, No.159), known as the Worker and Community Right-to-  
18 Know Act, is amended by adding a subsection to read:

19 Section 18. Special applications.

20 \* \* \*

21 (f) Class I railroad companies.--

22 (1) An employer that owns or operates a Class I railroad

1 company within the meaning of the act of July 5, 1984  
2 (P.L.587, No.119), known as the Rail Freight Preservation and  
3 Improvement Act, shall provide emergency breathing apparatus  
4 for employees who are crew members and may be exposed to  
5 hazardous substances that are or may become airborne while  
6 the employees perform their official duties. The employer  
7 shall provide the employees with appropriate training to  
8 operate the emergency breathing apparatus.

9 (2) The department shall prescribe rules and regulations  
10 to establish specifications for emergency breathing apparatus  
11 and training requirements under this subsection.

12 Section 2. This act shall take effect in 60 days.