**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 4051**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Murphy, Pendarvis, Gilliard, Matthews, Moore and Chellis

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Introduced in the House on February 21, 2019

Currently residing in the House Committee on **Education and Public Works**

Summary: Railroad crossings

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/21/2019 House Introduced and read first time ([House Journal‑page 129](file:///h:\hj\20190221.docx))

2/21/2019 House Referred to Committee on **Education and Public Works** ([House Journal‑page 129](file:///h:\hj\20190221.docx))

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**VERSIONS OF THIS BILL**

[2/21/2019](file:///p:\pprever\2019-20\4051_20190221.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑17‑155 SO AS TO PROVIDE THAT PRIOR TO COMMENCING REPAIRS, REHABILITATION, OR MAINTENANCE OF A PUBLIC RAILROAD CROSSING THAT REQUIRES THE CLOSURE OR BLOCKAGE OF THE CROSSING TO MOTOR VEHICLE TRAFFIC, THE RAILROAD CORPORATION OR RAILROAD COMPANY INITIATING THE REPAIRS, REHABILITATION, OR MAINTENANCE SHALL NOTIFY THE AFFECTED LOCAL GOVERNMENTAL ENTITY NOT LESS THAN SEVENTY‑TWO HOURS BEFORE THE FREE MOVEMENT OF MOTOR VEHICLES IS INFRINGED UPON OR BLOCKED, TO DEFINE RELEVANT TERMS, AND TO PROHIBIT RAILROAD CORPORATIONS OR RAILROAD COMPANIES FROM CLOSING, BLOCKING, OR OBSTRUCTING PUBLIC RAILROAD CROSSINGS FOR REPAIRS, REHABILITATION, OR MAINTENANCE BETWEEN THE HOURS OF 6:00 A.M. AND 8:00 P.M.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 17, Title 58 of the 1976 Code is amended by adding:

“Section 58‑17‑155. (A) Prior to commencing repairs, rehabilitation, or maintenance of a public railroad crossing that requires the closure or blockage of the crossing to motor vehicle traffic, the railroad corporation or railroad company initiating the repairs, rehabilitation, or maintenance shall notify the affected local governmental entity not less than seventy‑two hours before the free movement of motor vehicles is infringed upon or blocked.

(B) In determining how much advance notice must be given to an affected local governmental entity pursuant to subsection (A), the railroad corporation or railroad company shall consider the:

(1) time of day and length of time that the public railroad crossing is to be closed;

(2) type of highway traffic affected;

(3) materials and techniques of repair to be utilized; and

(4) length of time the affected local governmental entity requires to plan appropriate traffic detours and erect necessary signage.

(C) For purposes of this section, ‘public railroad crossing’ means a location at which a railroad track is crossed at grade by a public road, street, or highway under the jurisdiction of a county or municipality.

(D) Notwithstanding another provision of law, a railroad corporation or a railroad company is prohibited from closing, blocking, or obstructing a public railroad crossing for the purposes described in subsection (A) between the hours of 6:00 a.m. and 8:00 p.m.”

SECTION 2. This act takes effect upon approval by the Governor.

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