**South Carolina General Assembly**

119th Session, 2011-2012

**A54, R88, H3431**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. G.M. Smith

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Introduced in the House on January 25, 2011

Introduced in the Senate on April 7, 2011

Last Amended on April 5, 2011

Passed by the General Assembly on June 2, 2011

Governor's Action: June 14, 2011, Signed

Summary: John's Law

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2011 House Introduced and read first time ([House Journal‑page 47](file:///h:\hj%20archive\2011\01-25-11.docx))

1/25/2011 House Referred to Committee on **Education and Public Works** ([House Journal‑page 47](file:///h:\hj%20archive\2011\01-25-11.docx))

3/30/2011 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 12](file:///h:\hj%20archive\2011\03-30-11.docx))

4/5/2011 House Amended ([House Journal‑page 18](file:///h:\hj%20archive\2011\04-05-11.docx))

4/5/2011 House Read second time ([House Journal‑page 18](file:///h:\hj%20archive\2011\04-05-11.docx))

4/6/2011 House Read third time and sent to Senate ([House Journal‑page 20](file:///h:\hj%20archive\2011\04-06-11.docx))

4/7/2011 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\sj%20archive\2011\04-07-11.docx))

4/7/2011 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 10](file:///h:\sj%20archive\2011\04-07-11.docx))

5/3/2011 Senate Recalled from Committee on **Transportation** ([Senate Journal‑page 13](file:///h:\sj%20archive\2011\05-03-11.docx))

6/1/2011 Senate Read second time ([Senate Journal‑page 51](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Roll call Ayes‑36 Nays‑0 ([Senate Journal‑page 51](file:///h:\sj%20archive\2011\06-01-11.docx))

6/2/2011 Senate Read third time and enrolled ([Senate Journal‑page 11](file:///h:\sj%20archive\2011\06-02-11.docx))

6/8/2011 Ratified R 88

6/14/2011 Signed By Governor

6/20/2011 Effective date 06/14/11

6/20/2011 Act No. 54

**VERSIONS OF THIS BILL**

[1/25/2011](file:///p:\pprever\2011-12\3431_20110125.docx)

[3/30/2011](file:///p:\pprever\2011-12\3431_20110330.docx)

[4/5/2011](file:///p:\pprever\2011-12\3431_20110405.docx)

[5/3/2011](file:///p:\pprever\2011-12\3431_20110503.docx)

(A54, R88, H3431)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JOHN’S LAW” BY ADDING SECTION 57‑1‑80 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PUBLISH ON ITS WEBSITE THE LIST OF ALL PUBLIC RAILROAD CROSSINGS AND THE LIST OF RAILROAD CROSSINGS PROGRAMMED FOR UPGRADE, AND TO DIRECT THE DEPARTMENT TO INCREASE THE NUMBER OF INSTALLATIONS OF RAILROAD SIGNALS OR CROSSING ARMS, OR BOTH, AT DANGEROUS RAILROAD CROSSINGS CONTINGENT UPON THE RECEIPT OF ADDITIONAL FUNDS FOR THE INSTALLATION OF PUBLIC RAILROAD SIGNALS AND GATES.**

Whereas, according to the South Carolina Department of Transportation, there were forty‑eight collisions between trains and vehicles in 2007 resulting in four fatalities, forty‑six collisions between trains and vehicles in 2008 resulting in four fatalities, thirty‑one collisions between trains and vehicles in 2009 resulting in five fatalities; and thirty‑seven collisions between trains and vehicles during the first nine months of 2010 resulting in one fatality; and

Whereas, on July 23, 2009, John Malcolm Brabham III, a sixteen year old student at Wilson Hall in Sumter County, died from injuries sustained in a collision between a train and his vehicle at a railroad crossing without crossing arms that may have prevented this tragic loss of life; and

Whereas, it is imperative that the members of the General Assembly adopt legislation that requires the Department of Transportation remedy this situation by: (1) informing the public of the locations of railroad crossings that it plans to install crossing arms; (2) immediately placing traffic stop signs at extremely dangerous locations on this list until funds become available to erect crossing arms at these locations; and (3) increasing the number of crossing arms it installs annually. Now, therefore,

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

**John’s Law**

SECTION 1. This act may be cited as “John’s Law”.

**John**’**s Law**

SECTION 2. Article 1, Chapter 1, Title 57 of the 1976 Code is amended by adding:

“Section 57‑1‑80. The Department of Transportation shall publish on its website the list of all public railroad crossings. The department also shall publish on its website the list of railroad crossings programmed for upgrades and designate it on its website ‘John’s Law’. Contingent upon the receipt of additional funds for the installation of public railroad signals and gates, the department is directed to increase the number of installations of railroad signals or crossing arms, or both, utilizing all funds available for this type of work at dangerous railroad crossings throughout the State.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 8th day of June, 2011.

Approved the 14th day of June, 2011.

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