**A** **BILL**

TO AMEND ARTICLE 15, CHAPTER 15, TITLE 58 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION’S REGULATION OF RAILROAD CROSSINGS, BY ADDING SECTION 58-15-1555, TO PROVIDE THAT IT IS NOT CONDUCIVE TO THE PUBLIC SAFETY FOR CERTAIN RAILROAD COMPANIES TO OPERATE LOCOMOTIVES IN THIS STATE THAT HAVE NOT BEEN EQUIPPED WITH POSITIVE TRAIN CONTROL TECHNOLOGY; TO PROVIDE FOR FINES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE THAT FINES COLLECTED SHALL BE USED TO FUND RAILROAD SAFETY INSPECTIONS AND PROGRAMS.

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

SECTION 1. Article 15, Chapter 15, Title 58 of the 1976 Code is amended by adding:

“Section 58-15-1555. (A) The operation of a locomotive that has not been equipped with positive train control technology by a passenger railroad company or a Class I freight railroad company on railroad tracks that are not equipped with positive train control technology, whether owned by a passenger railroad company or a Class I freight railroad company, and that are crossed by a public highway is not conducive to the public safety.

(B) The Public Service Commission shall fine each passenger railroad company and each Class I freight railroad company that operates a locomotive that has not been equipped with positive train control technology two thousand five hundred dollars per locomotive per month for each month that the railroad company operates in a manner not conducive to the public safety as identified in subsection (A).

(C) All funds collected pursuant to subsection (B) shall be used for railroad safety inspections and programs.”

SECTION 2. This act takes effect on July 1, 2019.

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