**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑15‑1555 SO AS TO PROVIDE THAT FOR PASSENGER RAILROAD COMPANIES AND CLASS I FREIGHT RAILROAD COMPANIES, THE OPERATION OF LOCOMOTIVES IN THIS STATE THAT LACK POSITIVE TRAIN CONTROL TECHNOLOGY IS NOT CONDUCIVE TO PUBLIC SAFETY; TO ESTABLISH FINES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE THAT FINES COLLECTED MUST 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 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 public safety as identified in subsection (A).

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

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

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