**South Carolina General Assembly**

124th Session, 2021-2022

**A134, R144, H4618**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. A.M. Morgan and R. Williams

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Introduced in the House on January 11, 2022

Introduced in the Senate on March 3, 2022

Last Amended on March 2, 2022

Passed by the General Assembly on March 31, 2022

Governor's Action: April 11, 2022, Signed

Summary: Vehicle types subject to stopping at railroad crossings

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/17/2021 House Prefiled

11/17/2021 House Referred to Committee on **Education and Public Works**

1/11/2022 House Introduced and read first time ([House Journal‑page 71](file:///h:\hj\20220111.docx))

1/11/2022 House Referred to Committee on **Education and Public Works** ([House Journal‑page 71](file:///h:\hj\20220111.docx))

2/24/2022 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 12](file:///h:\hj\20220224.docx))

3/2/2022 House Member(s) request name added as sponsor: R.Williams

3/2/2022 House Amended ([House Journal‑page 13](file:///h:\hj\20220302.docx))

3/2/2022 House Read second time ([House Journal‑page 13](file:///h:\hj\20220302.docx))

3/2/2022 House Roll call Yeas‑104 Nays‑0 ([House Journal‑page 13](file:///h:\hj\20220302.docx))

3/3/2022 House Read third time and sent to Senate ([House Journal‑page 6](file:///h:\hj\20220303.docx))

3/3/2022 Senate Introduced and read first time ([Senate Journal‑page 5](file:///h:\sj\20220303.docx))

3/3/2022 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 5](file:///h:\sj\20220303.docx))

3/3/2022 Scrivener's error corrected

3/17/2022 Senate Committee report: Favorable **Transportation** ([Senate Journal‑page 9](file:///h:\sj\20220317.docx))

3/21/2022 Scrivener's error corrected

3/23/2022 Senate Read second time ([Senate Journal‑page 27](file:///h:\sj\20220323.docx))

3/23/2022 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 27](file:///h:\sj\20220323.docx))

3/31/2022 Senate Read third time and enrolled ([Senate Journal‑page 13](file:///h:\sj\20220331.docx))

4/7/2022 Ratified R 144

4/11/2022 Signed By Governor

4/15/2022 Effective date 04/11/22

4/15/2022 Act No.  134

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**VERSIONS OF THIS BILL**

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[2/24/2022](file:///p:\pprever\2021-22\4618_20220224.docx)

[3/2/2022](file:///p:\pprever\2021-22\4618_20220302.docx)

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[3/21/2022](file:///p:\pprever\2021-22\4618_20220321.docx)

(A134, R144, H4618)

**AN ACT TO AMEND SECTION 56‑5‑2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES AND RAILROAD GRADE CROSSINGS SUBJECT TO THIS PROVISION, AND TO DEFINE THE TERMS “BUSINESS DISTRICT” AND “BUS”.**

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

**Vehicles required to stop at railroad grade crossings**

SECTION 1. Section 56‑5‑2720 of the 1976 Code is amended to read:

“Section 56‑5‑2720. (A) Except as provided in subsection (B), the driver or operator of every bus transporting passengers, or a vehicle permitted by the Department of Health and Environmental Control to carry hazardous waste, or any vehicle required by 49 C.F.R. Section 392.10 to stop at a railroad grade crossing, before crossing at grade any tracks of a railroad, shall stop the vehicle within fifty feet, but not less than fifteen feet, from the nearest rail of the railroad and while stopped shall listen and look in both directions along the track for an approaching train and for signals indicating the approach of a train and shall not proceed until he can do so safely. After stopping and upon proceeding when it is safe to do so, the driver of the vehicle shall cross only in the gear of the vehicle that there is no necessity for manually changing gears while traversing the crossing and the driver shall not manually shift gears while crossing the tracks.

(B) The provisions of this section do not apply at:

(1) a streetcar crossing, or railroad tracks used exclusively for industrial switching purposes, within a business district;

(2) a railroad grade crossing when a police officer or crossing flagman directs traffic to proceed;

(3) a railroad grade crossing controlled by a functioning highway traffic signal transmitting a green indication which, under local law, permits the commercial motor vehicle to proceed across the railroad tracks without slowing or stopping;

(4) an abandoned railroad grade crossing which is marked with a sign indicating that the rail line is abandoned; and

(5) an industrial or spur line railroad grade crossing marked with a sign reading ‘Exempt’. ‘Exempt’ signs shall be erected only by or with the consent of the appropriate state or local authority.

(C) For purposes of the section, ‘business district’ means the territory contiguous to and including a highway when within any six hundred feet along a highway where there are buildings in use for business or industrial purposes including, but not limited to, hotels, banks, or office buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.

(D) For purposes of this section, a ‘bus’ means:

(1) a motor vehicle designed or used to transport more than eight passengers, including the driver, for compensation; or

(2) a motor vehicle designed or used to transport more than fifteen passengers, including the driver, and is not used to transport passengers for compensation.

(E) The provisions of Section 59‑67‑230 apply to school buses as defined in Section 56‑5‑190.”

**Time effective**

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

Ratified the 7th day of April, 2022.

Approved the 11th day of April, 2022.

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