~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 22, 2021

**H. 3730**

Introduced by Reps. R. Williams and Jefferson

S. Printed 4/22/21--H.

Read the first time January 27, 2021.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3730) to amend Section 56‑5‑2710, Code of Laws of South Carolina, 1976, relating to a driver of a motor vehicle obeying a signal that indicates an approaching, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2710(a)(1) and (2) and inserting:

/ (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment.

(2) A crossing gate is lowered or when a flagman gives or continues to give a signal of the approach or passage of a railroad train or other on‑track equipment. /

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill adds additional instances in which a person approaching a railroad grade crossing in a vehicle must stop. These additional instances include on-track equipment, other than railroad trains, that is signaling or is plainly visible and in hazardous proximity to the crossing. DMV indicates that this does not operationally impact the agency. Therefore, there is no fiscal impact to DMV.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 56‑5‑2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

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

SECTION 1. Section 56‑5‑2710(a) of the 1976 Code is amended to read:

“(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section the driver of the vehicle shall stop within fifty feet, but not less than fifteen feet, from the nearest rail of the railroad and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device or other on‑track equipment gives warning of the immediate approach of a railroad train.

(2) A crossing gate or other on‑track equipment is lowered or when a flagman gives or continues to give a signal of the approach or passage of a railroad train.

(3) A railroad train or other on‑track equipment approaching within approximately one thousand, five hundred feet of the highway crossing emits a signal audible from such distance and the train, by reason of its speed or nearness to the crossing, is an immediate hazard.

(4) An approaching railroad train or other on‑track equipment is plainly visible and is in hazardous proximity to the crossing.”

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

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