

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1232

Short Title: Railroad Safety Plans.

(Public)

Sponsors: Senator Nesbitt.

Referred to: Commerce, Small Business and Entrepreneurship.

March 26, 2007

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING RAILROADS TO ADOPT AND IMPLEMENT PLANS FOR
3 THE PROTECTION AGAINST TERRORISM, SABOTAGE, AND OTHER
4 CRIMES AGAINST RAIL FACILITIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 15 of Chapter 136 of the General Statutes is amended
7 by adding a new section to read:

8 **"§ 136-199. Railroad safety plans.**

9 (a) Every railroad operating in this State, every contractor or subcontractor
10 working at a rail facility in this State, and any other entity performing work on rail
11 facilities in this State shall develop and implement a plan for protection against
12 terrorism, sabotage, or other crimes against rail facilities. Such a plan shall include:

13 (1) Comprehensive training programs for employees;

14 (2) Emergency response procedures; and

15 (3) Procedures for communicating with State and local law enforcement
16 personnel, emergency personnel, transportation officials, and other
17 persons who would be first responders in the event of an act of
18 sabotage, terrorism, or other crime against a rail facility.

19 (b) In addition to the development of the plan required by subsection (a) of this
20 section, with respect to any rail facility through which hazardous materials are
21 transported, or at which such cargo is stored within five miles of a school, hospital,
22 nursing home, public utility, or public safety facility, a railroad shall:

23 (1) Provide for the regular inspection of the condition of the rail facility by
24 trained personnel to determine its vulnerability to acts of sabotage,
25 terrorism, or other crimes, including the inspection of all tank cars;

26 (2) Store hazardous materials in secure facilities designed for such
27 storage;

28 (3) Ensure that locomotive equipment is not left running or unlocked
29 while unattended;

- 1 (4) Secure occupied locomotives against unauthorized entry; and
2 (5) Provide security for all remote control devices to prevent access to
3 such devices by unauthorized personnel."

4 **SECTION 2.** This act is effective when it becomes law. Each railroad,
5 contractor, subcontractor, or other entity covered by the provisions of this act shall
6 develop and implement the required safety plan within 180 days of that date.