

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 1301\*

Short Title: Railroad Safety Plans. (Public)

Sponsors: Representatives Goodwin, Coates, Rapp (Primary Sponsors); Alexander, Farmer-Butterfield, and Harrison.

Referred to: Homeland Security, Military and Veterans Affairs, if favorable, Transportation.

April 5, 2007

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

The General Assembly of North Carolina enacts:

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

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

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

- (1) Comprehensive training programs for employees;
- (2) Emergency response procedures; and
- (3) Procedures for communicating with State and local law enforcement personnel, emergency personnel, transportation officials, and other persons who would be first responders in the event of an act of sabotage, terrorism, or other crime against a rail facility.

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

- (1) Provide for the regular inspection of the condition of the rail facility by trained personnel to determine its vulnerability to acts of sabotage, terrorism, or other crimes, including the inspection of all tank cars;
- (2) Store hazardous materials in secure facilities designed for such storage;

- 1           (3) Ensure that locomotive equipment is not left running or unlocked  
2           while unattended;  
3           (4) Secure occupied locomotives against unauthorized entry; and  
4           (5) Provide security for all remote control devices to prevent access to  
5           such devices by unauthorized personnel."

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