



# **2018 Railroad Transportation Activities Annual Report**

South Carolina  
Office of Regulatory Staff

November 7, 2019

## **Introduction**

The South Carolina Office of Regulatory Staff (ORS) has been directed by the South Carolina General Assembly (S.C. Code Ann. Section 58-17-140 as amended by 2006 S.C. Acts No. 318) to compile information regarding railroad transportation activities in the State on an annual basis. In 2018, ORS continued to share the responsibility for railroad safety oversight with the Federal Railroad Administration (FRA) in two areas: 1) Track and 2) Operating Practices (OP). The FRA Track Division promotes understanding of and compliance with the federal Track Safety standards and provides technical expertise regarding track safety standards, roadway worker standards, and roadway maintenance machine standards, relevant to 49 CFR 213 and 214 disciplines. The OP Division promotes understanding of and compliance with federal Operating Practices standards and provides technical expertise regarding railroad carrier operating rules, employee qualification guidelines, carrier training and testing programs, railroad occupational safety and health standards, the Hours of Service Act, and accident and personal injury reporting requirements. This document reports the activities of ORS related to its duties and addresses railroad accidents recorded by the FRA for South Carolina for the period ending December 31, 2018.

## **Partnership with Federal Railroad Administration**

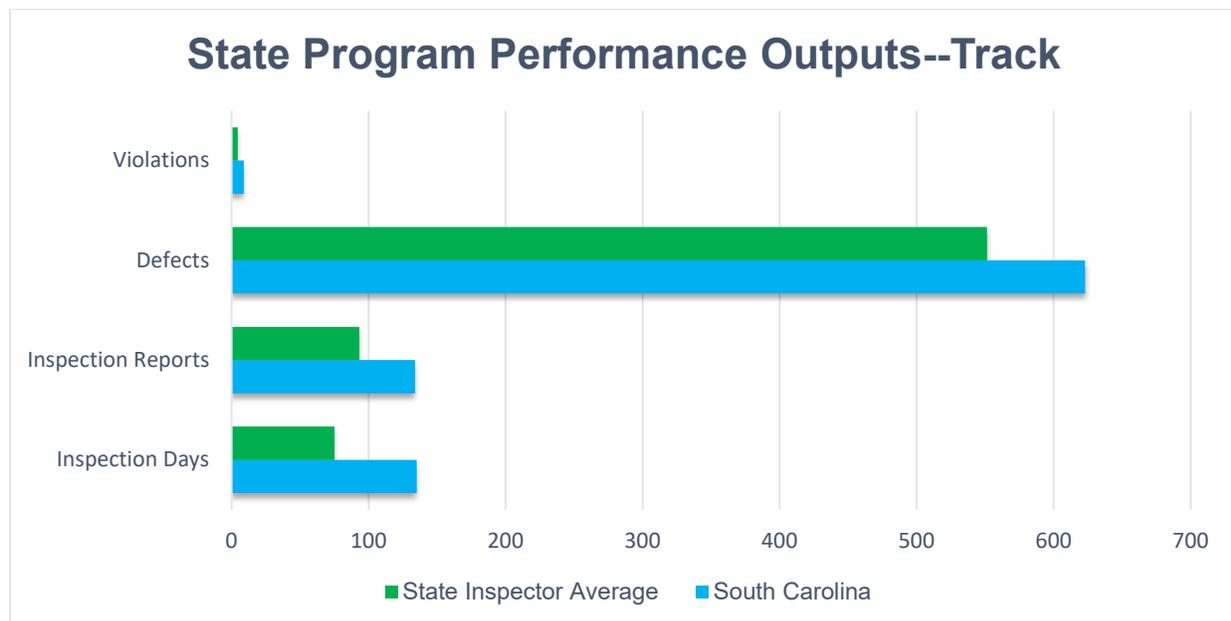
Through the Staggers Rail Act of 1980, Congress intended to create a competitive economic environment for railroad transportation by deregulating the rates and charges of railroads. The Rail Safety Act and its amendments authorized states to work with the FRA to enforce federal railroad safety regulations. As a result of this legislation, ORS inspectors work in partnership with the FRA to provide routine compliance inspections. ORS inspects approximately 2,600 miles of track and accompanying railroad operations. In 2018, ORS conducted 269 routine inspections, compiled 167 inspection reports, detected 27 safety violations, and documented 685 safety defects through these inspections.

ORS coordinated closely with the FRA in non-inspection matters throughout the year. As a participating state, ORS inspectors trained in accident investigation and discipline recurrency sponsored by the FRA. Through seminars and webinars sponsored by the FRA, ORS tracked and monitored regulation promulgation, trends in the rail industry, and areas of regulatory emphasis. ORS worked with FRA Track and OP inspectors to coordinate inspections and make referrals of highway-rail grade crossing complaints, when appropriate. ORS hosted the 2018 FRA Region meetings and conferences in Columbia where inspectors and state managers from across the Southeast received additional training on enforcement and industry trends. In November, the ORS state program manager attended the Association of State Rail Safety Managers (ASRSM) annual conference and training that was sponsored by the FRA.

## State Inspector Performance

In 2018, ORS ranked highly in performance outputs when compared to other state inspectors. **Chart 1** illustrates that track inspections and reports exceeded the national average among all state track inspectors. **Chart 2** demonstrates that OP inspections and violations exceeded the national average among all state OP inspectors.

**Chart 1: State Program Performance Outputs – Track**



## **Conclusion and Recommendations**

In 2018, ORS monitored the South Carolina rail transportation system for compliance with federal regulations in the areas of Track and OP. ORS encouraged railroad operators to exceed the requirements of regulations and to remedy defects and violations in a timely manner. Each inspector completed discipline-specific annual training sponsored by the FRA, and the State Program Manager received regulatory updates and guidance from the FRA to ensure the consistent enforcement of rules and regulations.

It is a challenge to maintain safe railways in South Carolina. Blocked railroad crossings hinder emergency response, slow the flow of commerce and traffic, and can create a dangerous situation for pedestrians. Blocked railroad crossings continue to be the most frequent complaint from the general public and local government. S.C. Code Ann. § 58-17-4080 (Supp. 2015) states that any railroad that blocks a crossing for more than five minutes is subject to a fine of no more than twenty dollars. To address this safety issue at the federal level, ASRSM urged Congress to act on the issue of blocked railroad crossings.

The second challenge to railroad safety is pedestrian trespass on railroad tracks. As the population increases, the railroads face increasing incidents of pedestrian trespass on the tracks and rights-of-way. Trespassing has led to an increase in fatalities and injuries on railroad property over the last 5 years. Another major challenge to railroad safety is motorists who disregard crossing arms, cross bucks, signals, and stop signs at grade crossings. Mitigation of these railroad safety challenges will require federal and state legislation to increase penalties for railroad operators whose trains block a crossing and for citizens who trespass or ignore crossing arms and other safety devices at a grade crossing.

**ORS.SC.GOV**

Office of Regulatory Staff

1401 Main Street

Suite 900

Columbia, SC 29201

