1	н. в. 4577
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3	(By Delegate Poore)
4	[Introduced February 17, 2012; referred to the
5	Committee on the Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated §24-3-1c, relating to
12	requiring that protective fencing be placed along railroad
13	lines operating adjacent to public schools; and rules.
14	Be it enacted by the Legislature of West Virginia:
15	That the Code of West Virginia, 1931, as amended, be amended
16	by adding thereto a new section, designated $$24-3-1c$, to read as
17	follows:
18	ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES SUBJECT TO
19	REGULATIONS OF COMMISSION.
20	§24-3-1c. Protective fencing along railroad tracks adjacent to
21	schools.
22	Notwithstanding any provision in this code to the contrary, a
23	railroad company operating an active railroad line within one

- 1 thousand feet of a public school in this state shall install and
- 2 maintain a protective fence along both sides of the railroad line
- 3 for a distance of one thousand feet in each direction from the
- 4 school to deter school children from walking along the railroad
- 5 tracks. The commission shall promulgate rules setting appropriate
- 6 standards and guidelines to implement the provisions of this
- 7 section.

NOTE: The purpose of this bill is to require that protective fencing be placed along railroad lines operating within 1000 feet of a public school to deter school children from walking along railroad tracks.

\$24-3-1c is new; therefore, it has been completely underscored.