

April 2, 2001

S 759. TTA INSURANCE. TO PROVIDE LIMITATIONS ON COMMUTER RAIL TRANSPORTATION LIABILITY.

Intro. by Gulley.

Ref. to Judiciary I	GS 160A
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April 23, 2001

S 759. RAIL TRANSPORTATION LIABILITY. Intro. 4/2/01. Senate committee substitute makes the following changes to 1st edition. Restricts coverage of bill to passenger rail services provided by a regional public transportation authority or pursuant to a contract with such an authority. Raises liability limit per single accident to \$200 million and requires that insurance policy have policy limits of not less than that amount. Changes short title.

May 22, 2001

S 759. RAIL TRANSPORTATION LIABILITY. Intro. 4/2/01. House committee substitute makes the following changes to 2nd edition. Makes bill apply to claims against "operating rights railroads," defined as railroad corporation that before Jan. 1, 2001, was granted operating rights by a state-owned railroad company or operated over the property of a state-owned railroad company under claim of right. Provides that Authority that does not enter into contract with railroad to allocate financial responsibility for passenger rail services claims must secure liability insurance in the same manner as if had contracted with railroad. Adds severability clause and makes numerous technical and clarifying amendments.

July 29, 2002

S 759. RAIL TRANSPORTATION LIABILITY. Intro. 4/2/01. Conference report recommends the following changes to the House committee substitute to reconcile matters in controversy: (1) changes the definition of passenger rail services to include express mention of the use of the right-of-way; (2) rewrites proposed GS 160A-426(b) (Contracts Allocating Financial Responsibility Authorized), allowing the Authority to contract with any railroad to allocate financial responsibility for passenger rail claims, to include expressly (but not be limited to) the execution of indemnity agreements; (3) provides that a liability insurance contract required under subsection (c) requires contracts allocating financial responsibility to cover a State-Owned Railroad Company that owns or claims an interest in any real property subject to the contract, name it as an insured; and make it generally subject to the liability limit that applies to the group of parties already subject to it; (4) adds new GS 160A-326 to make all of the provisions that apply to a regional transportation authority also applicable to cities with a population of more than 500,000, according to the latest decennial census or to cities that have entered into a transit governance interlocal agreement with, among other local governments, a city with a population of more than 500,000; and (5) adds new GS 153A-279 to make all of the provisions that apply to a regional transportation authority also applicable to counties that have entered into a transit governance interlocal agreement with, among other local governments, a city with a population of more than 500,000.

August 19, 2002

SL 2002-78 (S 759). RAIL TRANSPORTATION LIABILITY. AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY. Summarized in *Daily Bulletin* 4/2/01, 4/23/01, 5/22/01, and 7/29/02. Enacted August 15, 2002. Effective August 15, 2002.