

Senate Bill 285

By: Senator Rogers of the 21st

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 8 of Title 46 of the Official Code of Georgia Annotated, relating to  
2 railroad companies; so as to remove certain provisions relating to general provisions  
3 regarding railroad companies; relating to powers of railroad companies generally; relating  
4 to construction, improvement, and repair of rail lines, depots, and roads; relating to operation  
5 of trains generally; relating to operation of trains at crossings; relating to injury to livestock  
6 and other property; relating to liens against railroad companies; relating to leases and  
7 conditional sales of rolling stock; relating to acts or attempts resulting in insolvency or  
8 judicial seizure of a company; to provide for related matters; to repeal conflicting laws; and  
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 8 of Title 46 of the Official Code of Georgia Annotated, relating to railroad  
13 companies, is amended by repealing and reserving Article 1, relating to general provisions  
14 regarding railroad companies.

15 **SECTION 2.**

16 Said chapter is further amended in Article 4, relating to powers of railroad companies  
17 generally, by repealing and reserving Code Section 46-8-101, relating to contracts between  
18 railroad companies for common use of tracks within cities, and by repealing and reserving  
19 Code Section 46-8-102, relating to construction and operation of vessels by railroad  
20 companies, and by repealing and reserving Code Section 46-8-103, relating to appropriation  
21 by railroad corporations of public highways, bridges, and ferries, and by repealing and  
22 reserving Code Section 46-8-105, relating to effect of adoption of Code Section 46-8-104 by  
23 railroad corporations not chartered by the General Assembly, and by repealing and reserving  
24 Code Section 46-8-106, relating to the sale or lease of property, rights, and franchises of  
25 railroad corporation upon termination of prior lease, and by repealing and reserving Code

1 Section 46-8-107, relating to the sale of a railroad under trust deed, upon foreclosure of  
2 mortgage, or by judicial decree, and by repealing and reserving Code Section 46-8-108,  
3 relating to reorganization of a corporation by purchasers or their associates or assigns, and  
4 by repealing and reserving Code Section 46-8-109, relating to the exercise by a railroad  
5 company of rights, franchises, and privileges in another state or territory.

6 **SECTION 3.**

7 Said chapter is further amended in Article 5, relating to construction, improvement, and  
8 repair of rail lines, depots, and roads, by repealing and reserving Code Section 46-8-125,  
9 relating to change of general direction and route of railroads, and by repealing and reserving  
10 Code Section 46-8-127, relating to regulation of distance between tracks with the same  
11 terminal points, and by repealing and reserving Code Section 46-8-129, relating to  
12 construction and maintenance by and at expense of railroad company of cattle guards, and  
13 by repealing and reserving Code Section 46-8-130, relating to liability of railroad company  
14 to landowner for failure to build cattle guard, and by repealing and reserving Code Section  
15 46-8-131, relating to construction of cattle guard and farm crossing by railroad company  
16 upon request of landowner, and by repealing and reserving Code Section 46-8-132, relating  
17 to construction and applicability of Code Sections 46-8-129 through 46-8-131.

18 **SECTION 4.**

19 Said chapter is further amended in Article 6, relating to operation of trains generally, by  
20 repealing and reserving Part 1, relating to employees engaged in operation of trains  
21 generally, and by repealing and reserving Part 2, relating to signal whistles and lights on  
22 trains.

23 **SECTION 5.**

24 Said chapter is further amended in Part 3 of Article 6, relating to operation of trains at  
25 crossings, by repealing and reserving Code Section 46-8-190, relating to erection of  
26 blowposts to warn of crossings and the duty of locomotive engineers to blow the whistle, and  
27 by repealing and reserving Code Section 46-8-191, relating to the duty of railroad companies  
28 as to the erection of blowposts and exercise of due care by locomotive engineers, and by  
29 repealing and reserving Code Section 46-8-192, relating to effect of title on duties or  
30 liabilities of railroad companies under other laws, and by repealing and reserving Code  
31 Section 46-8-193, relating to duty of enginemen and conductors to stop trains at railroad  
32 crossings, and by repealing and reserving Code Section 46-8-198, relating to erection and  
33 placement of signboards to warn of drawbridges, grade crossings, and stations at which there  
34 is a switch.

1 **SECTION 6.**

2 Said chapter is further amended in Article 6, relating to operation of trains generally, by  
3 repealing and reserving Part 4, relating to injury to livestock and other property.

4 **SECTION 7.**

5 Said chapter is further amended by repealing and reserving Article 8, relating to liens against  
6 railroad companies.

7 **SECTION 8.**

8 Said chapter is further amended by repealing and reserving Article 9, relating to leases and  
9 conditional sales of rolling stock.

10 **SECTION 9.**

11 Said chapter is further amended by repealing and reserving Article 13, relating to acts or  
12 attempts resulting in insolvency or judicial seizure of a company.

13 **SECTION 10.**

14 All laws and parts of laws in conflict with this Act are repealed.