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1 AMENDMENT TO SENATE BILL 2489

2 AMENDMENT NO. _____. Amend Senate Bill 2489, AS AMENDED,
3 in Section 5, Sec. 18c-7503, by replacing subsection (2.5) with
4 the following:

5 "(2.5) Terminal security. The owner of a terminal is
6 expressly authorized, within the terminal property, to
7 construct and operate berms, commercially constructed electric
8 fences, and monitoring equipment as security measures for
9 reducing the economic impact of theft, enhancing homeland
10 security, and improving the protection of the general public
11 welfare. The terminal owner shall properly operate and maintain
12 these security measures. Any electric fence installed pursuant
13 to this subsection shall: (i) be marked with appropriate signs;
14 (ii) be entirely surrounded at a distance of at least 36 inches
15 by properly maintained non-electric perimeter fences at least 8
16 feet tall; (iii) operate at a level of current that is not
17 lethal to a human being upon contact; (iv) be covered at all
18 times by an insurance policy maintained by the operator of the
19 terminal for liability from claims arising out of the operation
20 of the fence in an amount not less than \$10,000,000 per
21 occurrence; and (v) be regularly monitored and inspected by a
22 qualified electrician. The use of any of these security
23 measures in accordance with this subsection is not a violation
24 of this Sub-chapter."; and

25 in Section 5, Sec. 18c-7503, subsection (3), in the

1 next-to-last paragraph, by replacing "facility, or other
2 freight facility" with the following:

3 "facility where at least one mode of transportation
4 serviced by the facility is a railroad, or other railroad
5 freight facility".