

SOUTH CAROLINA PORTS AUTHORITY TERMINAL TRAFFIC SAFETY STANDARDS

RECITALS

WHEREAS, the South Carolina Ports Authority (“SCPA”) owns and operates marine terminal facilities throughout the State of South Carolina, including inland ports, and is constructing an intermodal facility known as the Navy Base Intermodal Facility and associated Drayage Road (collectively, “Terminals”); and

WHEREAS, the SCPA is statutorily empowered to, among others, “promulgate rules and regulations governing the use of or doing business on the Authority’s property or facilities, including the adoption of safety standards,” S.C. Code Ann. § 54-3-140(14); and

WHEREAS, the SCPA has adopted specific road safety rules governing traffic on roads within the Terminals and historically has applied the Uniform Act Regulating Traffic on Highways, S.C. Code Ann. §§ 56-5-10, *et seq.*, (“Uniform Act”) where the SCPA does not have a specific rule and where the particular conditions on the Terminals do not require that a different rule govern; and

WHEREAS, the SCPA desires to formalize its existing Terminal traffic policies and practices.

NOW, THEREFORE, the SCPA hereby adopts the following Terminal Traffic Safety Standard:

1. Vehicles driving on Terminals shall follow the rules and standards set forth in the SCPA Safety Video and SCPA Terminal Traffic Safety Guide, both of which are publicly available on the SCPA’s website. Copies may also be obtained from SCPA Port Police and SCPA Risk Management.

2. In the absence of a controlling provision within the SCPA Safety Video or SCPA Terminal Traffic Safety Guide, the Uniform Act is hereby adopted as the traffic rules on Terminals. Notwithstanding the foregoing, and due to the unique nature of the SCPA’s operations, SCPA Port Police has discretion to determine whether a provision of the Uniform Act should apply in any given circumstance on a case-by-case basis. These determinations by SCPA Port Police are fact specific and not determinative of whether the Uniform Act should or should not apply in any other case.

3. Violations of the Terminal Traffic Safety Standards, and in particular the Uniform Act where applicable, may result in the issuance of a Uniform Traffic Citation or other penalty.

4. The SCPA Safety Video, SCPA Terminal Traffic Safety Guide, and Uniform Act are subject to change without notice. It is the responsibility of each individual driver to ensure compliance with the current safety standards while operating on Terminal roads.

Effective Date: May 20, 2022