

HOUSE BILL No. 4214

February 9, 1999, Introduced by Reps. Schermesser, DeHart, Jamnick, Hale, O'Neil, Mans and Wojno and referred to the Committee on Transportation.

A bill to amend 1993 PA 354, entitled
"Railroad code of 1993,"
by amending section 315 (MCL 462.315).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 315. (1) The department, by order, in accordance with
2 section 301, may prescribe active traffic control devices to warn
3 of the approach of trains about to cross a street or highway at
4 public railroad grade crossings consisting of signals with signs,
5 circuitry, or crossing gates and other appurtenances as depicted
6 in the Michigan manual of uniform traffic control devices. Such
7 determinations shall detail the number, type, and location of
8 signals with signs, circuitry, or gates and appurtenances, which,
9 however, shall conform as closely as possible with generally
10 recognized national standards.

1 (2) Except as otherwise provided for in this act, the cost
2 of any installation, alteration, or modernization of active
3 traffic control devices shall be at equal expense of the railroad
4 and road authority. IF THE DEPARTMENT DETERMINES THAT A RAILROAD
5 GRADE CROSSING IS NECESSARY OR THAT THE ACTIVE TRAFFIC CONTROL
6 DEVICES ARE NECESSARY DUE TO INCREASED TRAFFIC ON THE RAILROAD,
7 THE DEPARTMENT MAY ASSESS 100% OF THE COSTS OF THOSE ACTIVE TRAF-
8 FIC CONTROL DEVICES NECESSARY FOR THAT CROSSING TO THE RAILROAD.

9 (3) After initial installation, all active traffic control
10 devices, circuitry, and appurtenances at crossings shall be main-
11 tained, enhanced, renewed, and replaced by the railroad at its
12 own expense, except that the road authority shall pay \$580.00 for
13 flashing signals on a single track, \$750.00 for flashing signals
14 and gates on a single track, \$520.00 for flashing signals on can-
15 tilevers on a single track, \$1,040.00 for flashing signals on
16 cantilevers with gates on a single track, \$940.00 for flashing
17 signals and gates on multiple tracks, and \$1,150.00 for flashing
18 signals on cantilevers and gates on a multiple track annually for
19 maintenance to the railroad for each crossing with active traffic
20 control devices not covered by existing or future railroad-road
21 authority agreements. The railroad shall furnish standard equip-
22 ment uniform for all railroads at a cost and installation basis
23 consistent for all railroads. By January 1, 1999, the department
24 shall complete a study to determine the cost of maintenance of
25 active traffic control devices and shall forward a copy of the
26 study to the members of the house and senate committees that
27 consider railroad legislation.

1 (4) Standard active railroad-highway traffic control devices
2 consisting of side of street flashing light signals with or with-
3 out half-roadway gates and cantilevers shall include the railroad
4 crossing (crossbuck) sign, "stop on red signal" sign, and number
5 of tracks sign located, designed, and maintained on the signal
6 support as prescribed by the Michigan manual of uniform traffic
7 control devices. The railroad shall perform actual installation
8 and maintenance of these signs. The railroad shall also install,
9 renew, and maintain any signs placed on cantilevered signal
10 supports. Whenever active traffic control devices are installed
11 at any crossing, they shall be so arranged that for every train
12 or switching movement over the grade crossing, the active traffic
13 control device shall be in operation for a period of not less
14 than 20 seconds or more than 60 seconds in advance of the train
15 movement reaching the nearest established curb line or highway
16 shoulder and the devices shall continue to operate until the
17 train movement has passed the established curb line or shoulder
18 on the far side of the highway.

19 (5) The department may order a railroad, at the railroad's
20 expense, to stop and flag a crossing for normal train service or
21 when active traffic control devices may become inoperable.