



HOUSE BILL No. 4982

October 12, 1999, Introduced by Reps. Prusi, Neumann, Bovin, Hale, Scott and Tesanovich and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 669 (MCL 257.669), as amended by 1995 PA
248.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 669. (1) Except as provided in subsections (2), (3),
2 and (4), the driver of a motor vehicle carrying passengers for
3 hire or the driver of a motor vehicle that is required to be
4 marked or placarded under 49 C.F.R. parts 100 to 180 before
5 crossing a railroad track at grade, shall stop the vehicle within
6 50 feet but not less than 10 feet from the nearest rail. While
7 stopped, the driver shall listen and look in both directions
8 along the track for an approaching train and for signals
9 indicating the approach of a train, and shall not proceed until
10 the driver can do so safely. After stopping as required in this

1 subsection, and upon proceeding when it is safe to do so, the
2 driver of the vehicle shall cross only in a gear of the vehicle
3 that does not require changing gears while traversing the
4 crossing. The driver shall not shift gears while crossing the
5 track or tracks.

6 (2) A stop need not be made at a railroad track grade cross-
7 ing where a police officer or a traffic-control signal directs
8 traffic to proceed.

9 (3) A stop need not be made at an abandoned railroad track
10 grade crossing. As used in this subsection, "abandoned railroad
11 track" means a railroad track which meets all of the following
12 requirements:

13 (A) ~~-(i)-~~ The track has been abandoned pursuant to federal
14 law.

15 (B) ~~-(ii)-~~ The track has been covered or removed.

16 (C) ~~-(iii)-~~ All signs, signals, and other warning devices
17 are removed OR EXEMPT SIGNS ARE PLACED BY THE STATE TRANSPORTA-
18 TION DEPARTMENT OVER THE EXISTING SIGNS.

19 (4) A stop shall not be made at an industrial or spur line
20 railroad grade crossing marked with a sign reading "exempt".
21 Exempt signs UNDER THIS SUBSECTION may be erected only by or with
22 the consent of the state transportation department after notice
23 to and an opportunity to be heard by all railroads operating over
24 such industrial or spur line.

25 (5) A person who violates this section is responsible for a
26 civil infraction.