

**SENATE BILL NO. 768**

September 29, 1999, Introduced by Senator SCHUETTE and referred  
to the Committee on Transportation and Tourism.

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.