

Act No. 93
Public Acts of 1996
Approved by the Governor
February 27, 1996
Filed with the Secretary of State
February 27, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. Alley

ENROLLED HOUSE BILL No. 5327

AN ACT to amend sections 273 and 451 of Act No. 354 of the Public Acts of 1993, entitled "An act to revise, consolidate, and codify the laws relating to railroads and their employees; to prescribe powers and duties of certain state and local agencies and officials; to prescribe fees; to create certain funds; to provide for the disposition of certain money; to provide remedies and penalties; and to repeal certain acts and parts of acts," being sections 462.273 and 462.451 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 273 and 451 of Act No. 354 of the Public Acts of 1993, being sections 462.273 and 462.451 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 273. (1) Except in the case of a right-of-way designated as a demonstration snowmobile trail in section 82126 of part 821 (snowmobiles) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.82126 of the Michigan Compiled Laws, a person shall not walk, ride, drive, or be upon or along the right-of-way or yard of a railroad company operating its lines within this state, or go upon or cross the right-of-way or yard at a place other than a public or private crossing, unless having first obtained written permission from the owner or occupant railroad, its agent or servant.

(2) For purposes of this section, "right-of-way" means the track or roadbed owned by a railroad and that property owned by a railroad which is located on either side of its tracks and which is readily recognizable to a reasonable person as being railroad property or is reasonably identified as such by fencing, the existence of railroad tracks, or appropriate signs.

(3) A person shall not be upon, enter, or damage any buildings, rolling stock, or equipment of any railway company operating its lines within this state.

(4) This section shall not apply to any of the following:

(a) Passengers on trains or employees of a railroad company while engaged in the performance of the duties of their employment.

(b) An authorized representative of the railroad employees.

(c) A person going upon the right-of-way or tracks to save human life or to protect property.

(d) A person going or being upon or in the station grounds or depot of the railroad company as a passenger or for the purpose of transacting business with the railroad company.

(e) A person, members of his or her family, or his or her employees going upon the right-of-way or tracks for the purpose of crossing from 1 part to another of a farm he or she may own or lease, where the farm lies on both sides of the right-of-way.

(f) A person having written permission to go upon the right-of-way or tracks granted by the railroad company, a person using officially abandoned rights-of-way for recreational purposes, the Michigan public service commission, the state transportation department, the interstate commerce commission, or the federal railroad administration.

(g) A registered land surveyor or his or her employees for the purpose of making land surveys.

(5) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 30 days, or by a fine of not more than \$100.00, or both.

Sec. 451. The following acts and parts of acts are repealed:

(a) Section 27 of chapter 1 of Act No. 283 of the Public Acts of 1909, being section 221.27 of the Michigan Compiled Laws.

(b) Act No. 92 of the Public Acts of 1893, being sections 253.1 to 253.33 of the Michigan Compiled Laws.

(c) Act No. 114 of the Public Acts of 1925, being sections 253.51 to 253.74 of the Michigan Compiled Laws.

(d) Sections 1, 3, and 3a of Act No. 419 of the Public Acts of 1919, being sections 460.51, 460.53, and 460.53a of the Michigan Compiled Laws.

(e) Act No. 200 of the Public Acts of 1925, being sections 460.101 to 460.102 of the Michigan Compiled Laws.

(f) Act No. 198 of the Public Acts of 1873, being sections 463.1 to 467.36 of the Michigan Compiled Laws.

(g) Act No. 64 of the Public Acts of 1885, being sections 467.101 to 467.103 of the Michigan Compiled Laws.

(h) Act No. 124 of the Public Acts of 1867, being sections 467.151 to 467.152 of the Michigan Compiled Laws.

(i) Act No. 156 of the Public Acts of 1905, being sections 467.201 to 467.202 of the Michigan Compiled Laws.

(j) Act No. 193 of the Public Acts of 1929, being section 467.251 of the Michigan Compiled Laws.

(k) Act No. 137 of the Public Acts of 1956, being sections 467.301 to 467.302 of the Michigan Compiled Laws.

(l) Act No. 115 of the Public Acts of 1921, being sections 468.31 to 468.37 of the Michigan Compiled Laws.

(m) Act No. 142 of the Public Acts of 1875, being section 468.51 of the Michigan Compiled Laws.

(n) Act No. 74 of the Public Acts of 1913, being sections 468.71 to 468.73 of the Michigan Compiled Laws.

(o) Act No. 252 of the Public Acts of 1889, being section 468.101 of the Michigan Compiled Laws.

(p) Act No. 38 of the Public Acts of 1875, being sections 468.121 to 468.122 of the Michigan Compiled Laws.

(q) Act No. 289 of the Public Acts of 1865, being sections 468.151 to 468.153 of the Michigan Compiled Laws.

(r) Act No. 134 of the Public Acts of 1869, being section 468.201 of the Michigan Compiled Laws.

(s) Act No. 86 of the Public Acts of 1891, being sections 468.221 to 468.223 of the Michigan Compiled Laws.

(t) Act No. 240 of the Public Acts of 1929, being section 468.241 of the Michigan Compiled Laws.

(u) Act No. 138 of the Public Acts of 1863, being section 468.301 of the Michigan Compiled Laws.

(v) Act No. 160 of the Public Acts of 1905, being sections 468.351 to 468.356 of the Michigan Compiled Laws.

(w) Act No. 96 of the Public Acts of 1859, being sections 468.371 to 468.373 of the Michigan Compiled Laws.

(x) Act No. 100 of the Public Acts of 1871, being sections 468.401 to 468.403 of the Michigan Compiled Laws.

(y) Act No. 110 of the Public Acts of 1899, being sections 468.451 to 468.453 of the Michigan Compiled Laws.

(z) Act No. 270 of the Public Acts of 1921, being sections 469.1 to 469.13 of the Michigan Compiled Laws.

(aa) Act No. 171 of the Public Acts of 1893, being sections 469.31 to 469.37 of the Michigan Compiled Laws.

(bb) Act No. 27 of the Public Acts of 1875, being section 469.51 of the Michigan Compiled Laws.

(cc) Act No. 189 of the Public Acts of 1921, being sections 469.61 to 469.65 of the Michigan Compiled Laws.

(dd) Act No. 102 of the Public Acts of 1927, being sections 469.81 to 469.84 of the Michigan Compiled Laws.

(ee) Act No. 77 of the Public Acts of 1913, being sections 469.101 to 469.103 of the Michigan Compiled Laws.

(ff) Act No. 158 of the Public Acts of 1923, being sections 469.111 to 469.113 of the Michigan Compiled Laws.

(gg) Act No. 9 of the Public Acts of 1895, being sections 469.121 to 469.124 of the Michigan Compiled Laws.

(hh) Act No. 118 of the Public Acts of 1887, being sections 469.131 to 469.133 of the Michigan Compiled Laws.

(ii) Act No. 167 of the Public Acts of 1871, being sections 469.141 to 469.144 of the Michigan Compiled Laws.

(jj) Act No. 178 of the Public Acts of 1901, being sections 469.151 to 469.152 of the Michigan Compiled Laws.

(kk) Act No. 234 of the Public Acts of 1907, being sections 469.181 to 469.182 of the Michigan Compiled Laws.

(ll) Act No. 401 of the Public Acts of 1919, being sections 469.191 to 469.192 of the Michigan Compiled Laws.

(mm) Act No. 52 of the Public Acts of 1909, being sections 469.201 to 469.204 of the Michigan Compiled Laws.

(nn) Act No. 123 of the Public Acts of 1923, being sections 469.211 to 469.213 of the Michigan Compiled Laws.

(oo) Act No. 275 of the Public Acts of 1887, being sections 469.221 to 469.222 of the Michigan Compiled Laws.
 (pp) Act No. 55 of the Public Acts of 1919, being sections 469.231 to 469.235 of the Michigan Compiled Laws.
 (qq) Act No. 56 of the Public Acts of 1919, being sections 469.241 to 469.246 of the Michigan Compiled Laws.
 (rr) Act No. 190 of the Public Acts of 1873, being sections 469.261 to 469.263 of the Michigan Compiled Laws.
 (ss) Act No. 35 of the Public Acts of 1887, being sections 469.281 to 469.282 of the Michigan Compiled Laws.
 (tt) Act No. 30 of the Public Acts of 1901, being sections 469.301 to 469.302 of the Michigan Compiled Laws.
 (uu) Act No. 303 of the Public Acts of 1921, being sections 469.351 to 469.356 of the Michigan Compiled Laws.
 (vv) Act No. 4 of the Public Acts of the Extra Session of 1900, being sections 469.381 to 469.382 of the Michigan Compiled Laws.
 (ww) Act No. 184 of the Public Acts of 1897, being sections 469.401 to 469.402 of the Michigan Compiled Laws.
 (xx) Act No. 245 of the Public Acts of 1917, being section 469.421 of the Michigan Compiled Laws.
 (yy) Act No. 142 of the Public Acts of 1895, being sections 469.451 to 469.452 of the Michigan Compiled Laws.
 (zz) Act No. 177 of the Public Acts of 1881, being section 469.461 of the Michigan Compiled Laws.
 (aaa) Act No. 153 of the Public Acts of 1883, being sections 469.471 to 469.472 of the Michigan Compiled Laws.
 (bbb) Act No. 21 of the Public Acts of 1867, being sections 469.481 to 469.482 of the Michigan Compiled Laws.
 (ccc) Act No. 104 of the Public Acts of 1921, being sections 469.501 to 469.502 of the Michigan Compiled Laws.
 (ddd) Act No. 37 of the Public Acts of 1949, being sections 469.521 to 469.522 of the Michigan Compiled Laws.
 (eee) Act No. 106 of the Public Acts of 1951, being sections 469.541 to 469.542 of the Michigan Compiled Laws.
 (fff) Act No. 180 of the Public Acts of 1956, being section 469.601 of the Michigan Compiled Laws.
 (ggg) Act No. 187 of the Public Acts of 1911, being sections 470.2 to 470.10 of the Michigan Compiled Laws.
 (hhh) Act No. 114 of the Public Acts of 1941, being sections 470.51 to 470.61 of the Michigan Compiled Laws.
 (iii) Act No. 156 of the Public Acts of 1941, being sections 470.101 to 470.109 of the Michigan Compiled Laws.
 (jjj) Act No. 26 of the Public Acts of 1968, being sections 470.121 to 470.126 of the Michigan Compiled Laws.
 (kkk) Act No. 75 of the Public Acts of 1945, being sections 470.151 to 470.153 of the Michigan Compiled Laws.
 (lll) Act No. 4 of the Public Acts of 1986, being sections 470.201 to 470.210 of the Michigan Compiled Laws.
 (mmm) Act No. 244 of the Public Acts of 1881, being sections 471.1 to 471.47 of the Michigan Compiled Laws.
 (nnn) Act No. 160 of the Public Acts of 1875, being section 473.91 of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

 Clerk of the House of Representatives.

 Secretary of the Senate.

Approved -----

 Governor.