# HOUSE BILL No. 6205

September 24, 1998, Introduced by Reps. Schermesser, Kelly, DeHart, Hale and LaForge 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:**

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

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

(3) After initial installation, all active traffic control devices, circuitry, and appurtenances at crossings shall be maintained, enhanced, renewed, and replaced by the railroad at its own expense, except that the road authority shall pay $580.00 for flashing signals on a single track, $750.00 for flashing signals and gates on a single track, $520.00 for flashing signals on cantilevers on a single track, $1,040.00 for flashing signals on cantilevers with gates on a single track, $940.00 for flashing signals and gates on multiple tracks, and $1,150.00 for flashing signals on cantilevers and gates on a multiple track annually for maintenance to the railroad for each crossing with active traffic control devices not covered by existing or future railroad-road authority agreements. The railroad shall furnish standard equipment uniform for all railroads at a cost and installation basis consistent for all railroads. By January 1, 1999, the department shall complete a study to determine the cost of maintenance of active traffic control devices and shall forward a copy of the study to the members of the house and senate committees that consider railroad legislation.

(4) Standard active railroad-highway traffic control devices consisting of side of street flashing light signals with or without half-roadway gates and cantilevers shall include the railroad crossing (crossbuck) sign, "stop on red signal" sign, and number of tracks sign located, designed, and maintained on the signal support as prescribed by the Michigan manual of uniform traffic control devices. The railroad shall perform actual installation and maintenance of these signs. The railroad shall also install, renew, and maintain any signs placed on cantilevered signal supports. Whenever active traffic control devices are installed at any crossing, they shall be so arranged that for every train or switching movement over the grade crossing, the active traffic control device shall be in operation for a period of not less than 20 seconds or more than 60 seconds in advance of the train movement reaching the nearest established curb line or highway shoulder and the devices shall continue to operate until the train movement has passed the established curb line or shoulder on the far side of the highway.

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