



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## EMPLOYEE RESPONSIBILITY FOR RAILROAD CROSSING OBSTRUCTIONS

**House Bill 5704**

**Sponsor: Rep. Jerry VanderRoest**

**Committee: Transportation**

**Complete to 5-3-00**

### **A SUMMARY OF HOUSE BILL 5704 AS INTRODUCED 5-2-00**

House Bill 5704 would amend the Railroad Code of 1993 to make an employee of a railroad responsible for obstructed vehicle traffic at railroad crossings.

Under law, a railroad is prohibited from permitting a train to obstruct vehicular traffic on a public street or highway for longer than five minutes at any one time, except the obstruction is not considered a violation if the train is continuously moving at least 10 miles per hour for not longer than seven minutes, or if the railroad can show that the incident occurred as a result of an accident, mechanical failure, or unsafe condition. Further, the law prohibits a railroad from permitting successive train movements to obstruct vehicular traffic on a public street or highway until all vehicular traffic previously delayed has been cleared. For each offense of these rules, a railroad is fined up to \$500, unless the violation willfully deliberately, and negligently blocked vehicular traffic in which case the fine can be as much as \$1,000.

House Bill 5704 would retain these rules and fines, but specify that railroads "or an employee of a railroad" could be held responsible for violations of the rules and fined for offences.

MCL 462.391

Analyst: J. Hunault

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