



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

INCREASE FINES FOR RAILROAD CROSSING OBSTRUCTIONS

House Bill 5739
Sponsor: Rep. Wayne Kuipers
Committee: Transportation

Complete to 5-12-00

A SUMMARY OF HOUSE BILL 5739 AS INTRODUCED 5-4-00

House Bill 5739 would amend the Railroad Code of 1993 to increase the fines when railroads obstruct vehicle traffic at railroad crossings in violation of the law.

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 5739 would retain these rules but increase the fines for violating them. The bill specifies that if the train obstructs traffic for more than seven minutes, the fine would be more than \$500 but not more than \$10,000 for each occurrence. If the obstruction continued for more than 15 minutes, the fine would be increased by \$5,000 for each additional 15 minutes the obstruction continued.

MCL 462.391

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.