

**SENATE BILL NO. 632**

June 3, 1999, Introduced by Senators MILLER, HART, DE BEAUSSAERT, BYRUM, HOFFMAN, ROGERS, STEIL, JAYE and JOHNSON and referred to the Committee on Transportation and Tourism.

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:**

1       Sec. 315. (1) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS  
2 SECTION, THE department, by order, in accordance with  
3 section 301, may prescribe active traffic control devices to warn  
4 of the approach of trains about to cross a street or highway at  
5 public railroad grade crossings consisting of signals with signs,  
6 circuitry, or crossing gates and other appurtenances as depicted  
7 in the Michigan manual of uniform traffic control devices. Such  
8 determinations shall detail the number, type, and location of  
9 signals with signs, circuitry, or gates and appurtenances, which,  
10 however, shall conform as closely as possible with generally  
11 recognized national standards.

1 (2) Except as otherwise provided for in this act, the cost  
2 of any installation, alteration, or modernization of active traf-  
3 fic control devices shall be at equal expense of the railroad and  
4 road authority.

5 (3) After initial installation, all active traffic control  
6 devices, circuitry, and appurtenances at crossings shall be main-  
7 tained, enhanced, renewed, and replaced by the railroad at its  
8 own expense, except that the road authority shall pay \$580.00 for  
9 flashing signals on a single track, \$750.00 for flashing signals  
10 and gates on a single track, \$520.00 for flashing signals on can-  
11 tilevers on a single track, \$1,040.00 for flashing signals on  
12 cantilevers with gates on a single track, \$940.00 for flashing  
13 signals and gates on multiple tracks, and \$1,150.00 for flashing  
14 signals on cantilevers and gates on a multiple track annually for  
15 maintenance to the railroad for each crossing with active traffic  
16 control devices not covered by existing or future railroad-road  
17 authority agreements. The railroad shall furnish standard equip-  
18 ment uniform for all railroads at a cost and installation basis  
19 consistent for all railroads. By January 1, 1999, the department  
20 shall complete a study to determine the cost of maintenance of  
21 active traffic control devices and shall forward a copy of the  
22 study to the members of the house and senate committees that con-  
23 sider railroad legislation.

24 (4) Standard active railroad-highway traffic control devices  
25 consisting of side of street flashing light signals with or with-  
26 out half-roadway gates and cantilevers shall include the railroad  
27 crossing (crossbuck) sign, "stop on red signal" sign, and number

1 of tracks sign located, designed, and maintained on the signal  
2 support as prescribed by the Michigan manual of uniform traffic  
3 control devices. The railroad shall perform actual installation  
4 and maintenance of these signs. The railroad shall also install,  
5 renew, and maintain any signs placed on cantilevered signal  
6 supports. Whenever active traffic control devices are installed  
7 at any crossing, they shall be so arranged that for every train  
8 or switching movement over the grade crossing, the active traffic  
9 control device shall be in operation for a period of not less  
10 than 20 seconds or more than 60 seconds in advance of the train  
11 movement reaching the nearest established curb line or highway  
12 shoulder and the devices shall continue to operate until the  
13 train movement has passed the established curb line or shoulder  
14 on the far side of the highway.

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

18 (6) IN THE CASE OF A CITY WITH A POPULATION OF MORE THAN  
19 100,000 THAT HAS EXPERIENCED A FATAL ACCIDENT AT A CROSSING  
20 WITHIN THE PRECEDING 12 MONTHS, THE LEGISLATIVE BODY OF THE CITY  
21 MAY REQUIRE THE RAILROAD TO INSTALL FLASHING SIGNALS OR GATES, OR  
22 BOTH, AT THAT CROSSING AT THE ENTIRE EXPENSE OF THE RAILROAD.