

HOUSE BILL No. 5158

September 5, 2007, Introduced by Rep. Sheen and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 669 (MCL 257.669), as amended by 2002 PA 534.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 669. (1) Except as provided in subsections (2), (3), and
2 (4), the driver of a motor vehicle transporting 16 or more
3 passengers including the driver, a motor vehicle carrying
4 passengers for hire, or a motor vehicle that is required to be
5 marked or placarded under 49 ~~C.F.R.~~ **CFR** parts 100 to 180 before
6 crossing a railroad track at grade, shall activate the vehicle
7 hazard warning lights and stop the vehicle within 50 feet but not
8 less than 15 feet from the nearest rail. While stopped, the driver

1 shall listen and look in both directions along the track for an
2 approaching train and for signals indicating the approach of a
3 train, and shall not proceed until the driver can do so safely.
4 After stopping as required in this subsection, and upon proceeding
5 when it is safe to do so, the driver of the vehicle shall cross
6 only in a gear of the vehicle that does not require changing gears
7 while traversing the crossing. The driver shall not shift gears
8 while crossing the track or tracks.

9 (2) A stop need not be made at a railroad track grade crossing
10 where a police officer or a traffic-control signal directs traffic
11 to proceed.

12 (3) A stop need not be made at an abandoned railroad track
13 grade crossing. As used in this subsection, "abandoned railroad
14 track" means a railroad track which meets all of the following
15 requirements:

16 (A) ~~(i)~~—The track has been abandoned pursuant to federal law.

17 (B) ~~(ii)~~—The track has been covered or removed, **HAS BEEN**
18 **PARTIALLY REMOVED AT OR ADJACENT TO THE RAILROAD TRACK GRADE**
19 **CROSSING, OR IS OTHERWISE UNUSABLE FOR RAIL TRANSPORTATION.**

20 (C) ~~(iii)~~—All signs, signals, and other warning devices are
21 removed.

22 (4) A stop shall not be made at an industrial or spur line
23 railroad grade crossing marked with a sign reading "exempt". Exempt
24 signs may be erected only by or with the consent of the state
25 transportation department after notice to and an opportunity to be
26 heard by all railroads operating over that industrial or spur line.

27 (5) A person who violates this section is responsible for a

1 civil infraction.

2 Enacting section 1. This amendatory act does not take effect
3 unless Senate Bill No. _____ or House Bill No. 5159 (request no.
4 03450'07 a) of the 94th Legislature is enacted into law.