

# HOUSE BILL No. 4320

March 11, 2015, Introduced by Rep. Nesbitt and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 57 (MCL 257.1857), as amended by 2006 PA 108.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 57. (1) Except as provided in subsections (2), (3), ~~and~~  
2           (4), **AND (5)**, the driver of a school bus, before crossing a  
3           railroad track at grade, shall stop the vehicle within 50 feet but  
4           not less than 15 feet from the nearest rail, activate hazard  
5           warning lights, turn off all interior switches including fans,  
6           heaters, and radios, open the passenger door and driver-side  
7           window, and while stopped shall listen and look in both directions  
8           along the track for an approaching train and for signals indicating  
9           the approach of a train, and shall not proceed until the driver can  
10          do so safely. After stopping as required in this subsection, and

1 upon proceeding when it is safe to do so, the driver of the vehicle  
2 shall cross only in a gear of the vehicle that does not require  
3 changing gears while traversing the crossing. The driver shall not  
4 shift gears while crossing the track or tracks.

5 (2) A stop need not be made at a railroad track grade crossing  
6 where a uniformed police officer or a traffic-control signal  
7 directs traffic to proceed.

8 (3) A stop need not be made at an ~~abandoned~~-**INACTIVE** railroad  
9 track grade crossing. As used in this subsection, "~~abandoned~~  
10 **INACTIVE** railroad track" means a railroad track ~~which~~-**THAT** meets  
11 both of the following requirements:

12 (a) The track has been completely paved over or removed.

13 (b) All signs, signals, and other warning devices are removed.

14 (4) A stop shall not be made at a railroad track grade  
15 crossing on a freeway or limited access highway where the crossing  
16 is protected by a clearly visible signal, crossing gate, or barrier  
17 at a time when the signal, crossing gate, or barrier is not  
18 activated.

19 **(5) A STOP SHALL NOT BE MADE AT A RAILROAD GRADE CROSSING**  
20 **MARKED WITH A SIGN READING "EXEMPT". EXEMPT SIGNS MAY BE ERECTED**  
21 **ONLY BY OR WITH THE CONSENT OF THE STATE TRANSPORTATION DEPARTMENT**  
22 **AFTER NOTICE TO AND AN OPPORTUNITY TO BE HEARD BY THE PRIMARY**  
23 **RAILROAD OPERATING OVER THAT CROSSING.**

24 (6) ~~(5)~~-A person who violates this section is responsible for  
25 a civil infraction and may be ordered to pay a civil fine of not  
26 more than \$100.00. A civil infraction under this subsection shall  
27 be processed in the same manner as a civil infraction under the

House Bill No. 4320 as amended April 29, 2015

1 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

2 [

3 ]