

# HOUSE BILL No. 5642

February 27, 2018, Introduced by Reps. Greimel, Sneller, Ellison, Faris, Lucido, Zemke, Cochran, Neeley, Yancey and Sabo and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 669 (MCL 257.669), as amended by 2015 PA 128.

## 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 CFR parts 100 to 180, before crossing  
6       a railroad track at grade, shall activate the vehicle hazard  
7       warning lights and stop the vehicle within 50 feet but not less  
8       than 15 feet from the nearest rail. While stopped, the driver shall  
9       listen and look in both directions along the track for an  
10      approaching **RAILROAD** train **OR OTHER ON-TRACK EQUIPMENT** and for  
11      signals indicating the approach of a **RAILROAD** train **OR OTHER ON-**

1 **TRACK EQUIPMENT**, and shall not proceed until the driver can do so  
2 safely. After stopping as required in this subsection, and upon  
3 proceeding when it is safe to do so, the driver of the vehicle  
4 shall cross only in a gear of the vehicle that does not require  
5 changing gears while traversing the crossing. The driver shall not  
6 shift gears while crossing the track or tracks.

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

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

14 (i) The track has been covered or removed.

15 (ii) All signs, signals, and other warning devices are  
16 removed.

17 (4) A stop shall not be made at a railroad grade crossing  
18 marked with a sign reading "exempt". Exempt signs may be erected  
19 only by or with the consent of the state transportation department  
20 after notice to and an opportunity to be heard by the primary  
21 railroad operating over that crossing.

22 (5) A person who violates this section is responsible for a  
23 civil infraction.

24 Enacting section 1. This amendatory act takes effect 90 days  
25 after the date it is enacted into law.