

RAILROAD CODE OF 1993 (EXCERPT)
Act 354 of 1993

462.315 Active traffic control devices; maintenance payments.

Sec. 315. (1) The department, by order, in accordance with section 301, may prescribe active traffic control devices to warn of the approach of trains about to cross a street or highway at public railroad grade crossings consisting of signals with signs, circuitry, or crossing gates and other appurtenances as depicted in the Michigan manual on uniform traffic control devices. A determination must detail the number, type, and location of signals with signs, circuitry, or gates and appurtenances, that must conform as closely as possible with generally recognized national standards.

(2) Except as otherwise provided for in this act, the cost of any installation, alteration, or modernization of active traffic control devices must be at equal expense of the railroad and road authority.

(3) After initial installation, all active traffic control devices, circuitry, and appurtenances at crossings must be maintained, enhanced, renewed, and replaced by the railroad at its own expense, except that the road authority shall pay, subject to the increase described in this subsection, \$1,427.00 for flashing signals on a single track, \$2,867.00 for flashing signals and gates on a single track, \$2,105.00 for flashing signals with cantilever arm on a single track, \$3,239.00 for flashing signals with cantilever arm with gates on a single track, \$3,394.00 for flashing signals and gates on multiple tracks, \$4,352.00 for flashing signals with cantilever arms and gates on a multiple track, \$1,698.00 for flashing signals on a multiple track, and \$2,167.00 for flashing signals with cantilever arms on a multiple track annually for maintenance to the railroad for each crossing with active traffic control devices not covered by existing or future railroad-road authority agreements. The railroad shall furnish standard equipment uniform for all railroads at a cost and installation basis consistent for all railroads. Beginning January 1, 2024, and on January 1 of each even-numbered year after 2024, the amounts a road authority must pay under this subsection are increased by 6.64%.

(4) Standard active railroad-highway traffic control devices consisting of side of street flashing light signals with or without half-roadway gates and cantilevers must include the railroad crossing (crossbuck) sign, "stop on red signal" sign, and number of tracks sign located, designed, and maintained on the signal support as prescribed by the Michigan manual on uniform traffic control devices. The railroad shall perform actual installation and maintenance of these signs. The railroad shall also install, renew, and maintain any signs placed on cantilevered signal supports. If active traffic control devices are installed at any crossing, those active traffic control devices must be so arranged that for every train or switching movement over the grade crossing, the active traffic control devices operate for a period of not less than 20 seconds or more than 60 seconds in advance of the train movement reaching the nearest established curb line or highway shoulder and the devices must continue to operate until the train movement has passed the established curb line or shoulder on the far side of the highway.

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

History: 1993, Act 354, Imd. Eff. Jan. 14, 1994;—Am. 2001, Act 5, Imd. Eff. Apr. 12, 2001;—Am. 2012, Act 421, Imd. Eff. Dec. 21, 2012;—Am. 2022, Act 62, Eff. July 1, 2022.