

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.

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