## 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, heaters, and radios, open the passenger door and driver-side 6 7 window, and while stopped shall listen and look in both directions along the track for an approaching train and for signals indicating 8 9 the approach of a train, and shall not proceed until the driver can do so safely. After stopping as required in this subsection, and 10

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upon proceeding when it is safe to do so, the driver of the vehicle
 shall cross only in a gear of the vehicle that does not require
 changing gears while traversing the crossing. The driver shall not
 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:

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

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(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.

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

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

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House Bill No. 4320 as amended April 29, 2015 1 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. 2 [

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