



**House
Legislative
Analysis
Section**

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**EMPLOYEE RESPONSIBILITY FOR
RAILROAD CROSSING
OBSTRUCTIONS**

House Bill 4331

**Sponsor: Rep. Jerry VanderRoest
Committee: Transportation**

Complete to 3-14-01

A SUMMARY OF HOUSE BILL 4331 AS INTRODUCED 2-22-01

The bill would amend the Railroad Code of 1993 to make an employee of a railroad responsible for obstructed vehicle traffic at railroad crossings.

Under current law, a railroad is prohibited from permitting a train to obstruct vehicular traffic on a public street or highway for longer than five minutes at any one time, except the obstruction is not considered a violation if the train is continuously moving at least 10 miles per hour for not longer than seven minutes, or if the railroad can show that the incident occurred as a result of an accident, mechanical failure, or unsafe condition. Further, the law prohibits a railroad from permitting successive train movements to obstruct vehicular traffic on a public street or highway until all vehicular traffic previously delayed has been cleared. For each offense of these rules, a railroad is fined up to \$500, unless the railroad willfully, deliberately, and negligently blocked vehicular traffic, in which case the fine can be as much as \$1,000.

House Bill 4331 would retain these rules and fines, but specify that railroads “or an employee of a railroad” would be accountable for compliance with these provisions of the code, and could be held responsible for violations of the rules and fined for offenses.

MCL 462.391

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