

HOUSE BILL No. 4609

May 4, 2011, Introduced by Rep. Wayne Schmidt and referred to the Committee on Transportation.

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 315 (MCL 462.315), as amended by 2001 PA 5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

5 (3) After initial installation, all active traffic control
6 devices, circuitry, and appurtenances at crossings shall be
7 maintained, enhanced, renewed, and replaced by the railroad at its
8 own expense, except that the road authority shall pay ~~\$760.00~~
9 **\$1,271.00** for flashing signals on a single track, ~~\$830.00~~ **\$1,978.00**
10 for flashing signals and gates on a single track, ~~\$895.00~~ **\$1,481.00**
11 for flashing signals with cantilever arm on a single track,
12 ~~\$1,215.00~~ **\$2,389.00** for flashing signals with cantilever arm with
13 gates on a single track, ~~\$1,230.00~~ **\$2,257.00** for flashing signals
14 and gates on multiple tracks, ~~\$1,630.00~~ **\$2,389.00** for flashing
15 signals with cantilever arms and gates on a multiple track, ~~\$725.00~~
16 **\$1,269.00** for flashing signals on a multiple track, and ~~\$1,005.00~~
17 **\$1,375.00** for flashing signals with cantilever arms on a multiple
18 track annually for maintenance to the railroad for each crossing
19 with active traffic control devices not covered by existing or
20 future railroad-road authority agreements. The railroad shall
21 furnish standard equipment uniform for all railroads at a cost and
22 installation basis consistent for all railroads. By January 1, 2010
23 and every 10 years after 2010, the department shall complete a
24 study to determine the cost of maintenance of active traffic
25 control devices and shall forward a copy of the study to the
26 members of the house and senate committees that consider railroad
27 legislation.

1 (4) Standard active railroad-highway traffic control devices
2 consisting of side of street flashing light signals with or without
3 half-roadway gates and cantilevers shall include the railroad
4 crossing (crossbuck) sign, "stop on red signal" sign, and number of
5 tracks sign located, designed, and maintained on the signal support
6 as prescribed by the Michigan manual of uniform traffic control
7 devices. The railroad shall perform actual installation and
8 maintenance of these signs. The railroad shall also install, renew,
9 and maintain any signs placed on cantilevered signal supports.
10 Whenever active traffic control devices are installed at any
11 crossing, they shall be so arranged that for every train or
12 switching movement over the grade crossing, the active traffic
13 control device shall be in operation for a period of not less than
14 20 seconds or more than 60 seconds in advance of the train movement
15 reaching the nearest established curb line or highway shoulder and
16 the devices shall continue to operate until the train movement has
17 passed the established curb line or shoulder on the far side of the
18 highway.

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