

# HOUSE BILL No. 4319

March 11, 2015, Introduced by Rep. Nesbitt and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 669 (MCL 257.669), as amended by 2002 PA 534.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 669. (1) Except as provided in subsections (2), (3), and  
2 (4), the driver of a motor vehicle transporting 16 or more  
3 passengers including the driver, a motor vehicle carrying  
4 passengers for hire, or a motor vehicle that is required to be  
5 marked or placarded under 49 ~~C.F.R.~~ **CFR** parts 100 to 180, before  
6 crossing a railroad track at grade, shall activate the vehicle  
7 hazard warning lights and stop the vehicle within 50 feet but not  
8 less than 15 feet from the nearest rail. While stopped, the driver  
9 shall listen and look in both directions along the track for an  
10 approaching train and for signals indicating the approach of a  
11 train, and shall not proceed until the driver can do so safely.

## House Bill No. 4319 as amended April 29, 2015

1 After stopping as required in this subsection, and upon proceeding  
 2 when it is safe to do so, the driver of the vehicle shall cross  
 3 only in a gear of the vehicle that does not require changing gears  
 4 while traversing the crossing. The driver shall not shift gears  
 5 while crossing the track or tracks.

6 (2) A stop need not be made at a railroad track grade crossing  
 7 where a police officer or a traffic-control signal directs traffic  
 8 to proceed.

9 (3) A stop need not be made at an ~~abandoned~~ **INACTIVE** railroad  
 10 track grade crossing. As used in this subsection, "~~abandoned~~  
 11 **INACTIVE** railroad track" means a railroad track ~~which~~ **THAT** meets  
 12 all of the following requirements:

13 ~~— (i) The track has been abandoned pursuant to federal law.~~

14 (i) ~~(ii)~~ The track has been covered or removed.

15 (ii) ~~(iii)~~ All signs, signals, and other warning devices are  
 16 removed.

17 (4) A stop shall not be made at an ~~industrial or spur line~~ **A**  
 18 railroad grade crossing marked with a sign reading "exempt". Exempt  
 19 signs may be erected only by or with the consent of the state  
 20 transportation department after notice to and an opportunity to be  
 21 heard by ~~all railroads~~ **THE PRIMARY RAILROAD** operating over that  
 22 ~~industrial or spur line~~ **CROSSING.**

23 (5) A person who violates this section is responsible for a  
 24 civil infraction.

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