

HOUSE BILL No. 5159

September 5, 2007, Introduced by Rep. Sheen and referred to the Committee on Transportation.

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), the driver of a school bus, before crossing a railroad track
3 at grade, shall stop the vehicle within 50 feet but not less than
4 15 feet from the nearest rail, activate hazard warning lights, turn
5 off all interior switches including fans, heaters, and radios, open
6 the passenger door and driver-side window, and while stopped shall
7 listen and look in both directions along the track for an
8 approaching train and for signals indicating the approach of a
9 train, and shall not proceed until the driver can do so safely.
10 After stopping as required in this subsection, and upon proceeding

1 when it is safe to do so, the driver of the vehicle shall cross
2 only in a gear of the vehicle that does not require changing gears
3 while traversing the crossing. The driver shall not shift gears
4 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 railroad track
9 grade crossing. As used in this subsection, "abandoned railroad
10 track" means a railroad track ~~which~~ **THAT** meets both of the
11 following requirements:

12 (a) The track has been completely paved over or removed,
13 **PARTIALLY REMOVED AT OR ADJACENT TO THE RAILROAD CROSSING, OR IS**
14 **OTHERWISE UNUSABLE FOR RAIL TRANSPORTATION.**

15 (b) All signs, signals, and other warning devices are removed.

16 (4) A stop shall not be made at a railroad track grade
17 crossing on a freeway or limited access highway where the crossing
18 is protected by a clearly visible signal, crossing gate, or barrier
19 at a time when the signal, crossing gate, or barrier is not
20 activated.

21 (5) A person who violates this section is responsible for a
22 civil infraction and may be ordered to pay a civil fine of not more
23 than \$100.00. A civil infraction under this subsection shall be
24 processed in the same manner as a civil infraction under the
25 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

26 Enacting section 1. This amendatory act does not take effect
27 unless Senate Bill No. _____ or House Bill No. 5158(request no.

1 03450'07) of the 94th Legislature is enacted into law.