

THE PUPIL TRANSPORTATION ACT (EXCERPT)
Act 187 of 1990

257.1857 Driver of school bus at railroad track grade crossing; requirements; "inactive railroad track" defined; exemptions; violation as civil infraction; fine; processing.

Sec. 57.

(1) Except as provided in subsections (2), (3), (4), and (5), the driver of a school bus, before crossing a railroad track at grade, shall stop the vehicle within 50 feet but not less than 15 feet from the nearest rail, activate hazard warning lights, turn off all interior switches including fans, heaters, and radios, open the passenger door and driver-side window, and while stopped shall listen and look in both directions along the track for an approaching train and for signals indicating the approach of a train, and shall not proceed until the driver can do so safely. After stopping as required in this subsection, and 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.

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

(3) A stop need not be made at an inactive railroad track grade crossing. As used in this subsection, "inactive railroad track" means a railroad track that meets both of the following requirements:

- (a) The track has been completely paved over or removed.
- (b) All signs, signals, and other warning devices are removed.

(4) A stop shall not be made at a railroad track grade crossing on a freeway or limited access highway where the crossing is protected by a clearly visible signal, crossing gate, or barrier at a time when the signal, crossing gate, or barrier is not 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) 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 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

History: 1990, Act 187, Eff. Aug. 15, 1990 ;-- Am. 1996, Act 170, Imd. Eff. Apr. 18, 1996 ;-- Am. 2006, Act 108, Eff. Aug. 15, 2006 ;-- Am. 2015, Act 129, Imd. Eff. July 15, 2015