

Effective 5/12/2015

41-6a-1203 Railroad grade crossing -- Duty to stop -- Malfunctions and school buses -- Driving through, around, or under gate or barrier prohibited.

- (1) As used in this section, "active railroad grade crossing" has the same meaning as defined in Section 41-6a-1005.
- (2) Whenever a person operating a vehicle approaches a railroad grade crossing, the operator of the vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of the railroad track and may not proceed if:
 - (a) a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train;
 - (b) a crossing gate is lowered, or when a human flagman gives or continues to give a signal of the approach or passage of a train;
 - (c) a railroad train approaching within approximately 1,500 feet of the highway crossing emits a signal audible and the train by reason of its speed or nearness to the crossing is an immediate hazard;
 - (d) an approaching train is plainly visible and is in hazardous proximity to the crossing; or
 - (e) there is any other condition that makes it unsafe to proceed through the crossing.
- (3)
 - (a) An operator of a vehicle who suspects a false activation or malfunction of a railroad grade crossing signal device where there is no gate or barrier may drive a vehicle through the railroad grade crossing after stopping if:
 - (i) the operator of a vehicle has a clear line of sight of at least one mile of the railroad tracks in all directions;
 - (ii) there is no evidence of an approaching train;
 - (iii) the vehicle can cross over the tracks safely; and
 - (iv) the operator of a school bus is compliant with written district policy.
 - (b) As soon as is reasonably possible, the operator of a school bus shall notify the driver's dispatcher and the dispatcher shall notify the owner of the railroad track where the grade crossing signal device is located of the false activation or malfunction.
- (4)
 - (a) A person may not drive a vehicle through, around, or under a crossing gate or barrier at a railroad grade crossing if the railroad grade crossing is active.
 - (b) A person may not cause a non-rail vehicle, whether or not occupied, to pass through, around, over, or under or remain on a gate or barrier at a railroad grade crossing if the railroad grade crossing is active.
 - (c) A person may not cause a non-rail vehicle, whether or not occupied, to pass around, through, over, or under or remain in a rail or fixed guideway right-of-way in a manner that would cause a railroad train or other rail vehicle to make contact with the non-rail vehicle.
- (5) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session