

1 **SCHOOL BUS RAILROAD CROSSING**

2 **REQUIREMENTS**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Neal B. Hendrickson**

6 AN ACT RELATING TO SCHOOL BUSES; PROVIDING AN EXEMPTION FOR SCHOOL
7 BUSES WITH AUTOMATIC TRANSMISSIONS IN RELATION TO TRAVERSING A
8 GRADED RAILROAD CROSSING WITHOUT CHANGING GEARS.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **41-6-97**, as last amended by Chapter 30, Laws of Utah 1990

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **41-6-97** is amended to read:

14 **41-6-97. Railroad grade crossings -- Certain vehicles must stop -- Exceptions --**
15 **Rules.**

16 (1) (a) Except as provided in Subsection (2), the driver of any vehicle described in rules
17 issued under Subsection (3) shall stop within 50 feet but not less than 15 feet from the nearest rail
18 of the railroad track before crossing, at grade, any track of a railroad.

19 **(b)** While stopped, the driver shall look in both directions along the track for any sign of
20 an approaching train and look and listen for signals indicating the approach of any train.

21 **(c)** The driver may proceed across the railroad track only when the movement may be
22 made with reasonable safety.

23 [~~(b)~~] **(d) (i)** After stopping as required and upon safely proceeding, the driver shall only
24 cross the railroad track in a gear that ensures no necessity for manually changing gears while
25 traversing the crossing.

26 **(ii) Subsection (1)(d)(i) does not apply to school buses with automatic transmissions that**
27 **may shift gears while crossing the railroad track.**

28 (e) The driver may not manually shift gears while crossing the railroad track.
29 (2) This section does not apply at a:
30 (a) railroad grade crossing where traffic is controlled by a peace officer or flagperson;
31 (b) railroad grade crossing where traffic is regulated by a traffic-control signal; or
32 (c) railroad grade crossing where an official traffic-control device gives notice that the
33 stopping requirements of this section are not applicable.

34 (3) (a) The Department of Transportation shall adopt necessary rules describing the
35 vehicles that must comply with the stopping requirements of this section.

36 (b) In making the rules, the Department of Transportation shall give consideration to the
37 number of passengers carried by the vehicle and the hazardous nature of any substance carried by
38 the vehicle.

39 (c) The rules shall correlate with and where possible conform to the most recent
40 regulations of the United States Department of Transportation.

Legislative Review Note

as of 1-8-99 8:34 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel