

HOUSE BILL 534

R5
SB 1120/16 – FIN

7lr1248
CF SB 98

By: **Delegates Parrott, Flanagan, Kittleman, McComas, A. Miller, and W. Miller**
Introduced and read first time: January 30, 2017
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque**

3 FOR the purpose of authorizing the State Highway Administration to erect an exempt
4 highway–rail grade crossing plaque at certain railroad grade crossings; specifying
5 the design and placement of a plaque erected under this Act; exempting certain
6 vehicles from the requirement to stop at certain railroad grade crossings if the
7 railroad grade crossing has an exempt highway–rail grade crossing plaque; and
8 generally relating to an exempt highway–rail grade crossing plaque at railroad grade
9 crossings.

10 BY adding to

11 Article – Transportation
12 Section 8–644
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2016 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Transportation
17 Section 21–703
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2016 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Transportation**

23 **8–644.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **(A) THE ADMINISTRATION MAY ERECT AN EXEMPT HIGHWAY–RAIL GRADE**
2 **CROSSING PLAQUE AT EACH RAILROAD GRADE CROSSING IN THE STATE THAT IS NO**
3 **LONGER IN USE BY A RAILROAD.**

4 **(B) THE DESIGN AND PLACEMENT OF A PLAQUE ERECTED UNDER THIS**
5 **SECTION SHALL BE IN ACCORDANCE WITH THE FEDERAL MANUAL ON UNIFORM**
6 **TRAFFIC CONTROL DEVICES.**

7 21–703.

8 (a) Except as provided in subsection (g) of this section, this section applies to:

9 (1) Every motor vehicle carrying a passenger for hire;

10 (2) Every school vehicle carrying any passenger;

11 (3) Every bus that is owned or operated by a church and carrying any
12 passenger;

13 (4) Every vehicle carrying as cargo a flammable liquid or an explosive; and

14 (5) Every vehicle carrying hazardous materials of a type and quantity
15 requiring placarding under federal hazardous materials regulations.

16 (b) If the driver of any vehicle described in subsection (a) of this section
17 approaches a railroad grade crossing, the driver shall stop within 50 feet but not less than
18 15 feet from the nearest rail in the crossing.

19 (c) If the driver of any vehicle described in subsection (a) of this section
20 approaches a railroad grade crossing, the driver, while stopped, shall listen and look in both
21 directions along the track for any approaching or passing railroad train and for any signals
22 indicating the approach or passage of a railroad train.

23 (d) If the driver of any vehicle described in subsection (a) of this section
24 approaches a railroad grade crossing, the driver may not proceed until he can do so safely.

25 (e) If the driver of any vehicle described in subsection (a) of this section
26 approaches a railroad grade crossing, the driver may proceed only in that gear of the vehicle
27 in which it will be unnecessary to shift gears manually while passing through the crossing.

28 (f) If the driver of any vehicle described in subsection (a) of this section
29 approaches a railroad grade crossing, the driver may not shift gears manually while passing
30 over any track of the railroad.

1 (g) (1) This section does not apply to the vehicles described in subsection (a)(1),
2 (4), and (5) of this section, at any railroad grade crossing in a business district or residential
3 district.

4 (2) This section does not apply to school buses and church buses, as
5 described in subsection (a)(2) and (3) of this section, at locations within Baltimore City
6 where complying with the provision of this section would conflict with the existing traffic
7 signal indications.

8 **(3) THIS SECTION DOES NOT APPLY TO THE VEHICLES DESCRIBED IN**
9 **SUBSECTION (A) OF THIS SECTION, AT ANY RAILROAD GRADE CROSSING WITH AN**
10 **EXEMPT HIGHWAY–RAIL GRADE CROSSING PLAQUE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2017.