

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1054  
Second Edition Engrossed 4/22/99

Short Title: Activity Buses Stop-RR Crossings.

(Public)

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Sponsors: Representatives Mosley (By Request); and Cox.

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Referred to: Highway Safety.

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April 15, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE ALL ACTIVITY BUSES TO STOP AT ALL RAILROAD  
3 CROSSINGS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-142.3(a) reads as rewritten:

6 "(a) Before crossing at grade any track or tracks of a railroad, the driver of any  
7 school bus, any activity bus, any motor vehicle carrying passengers for compensation,  
8 any property-hauling motor vehicle over 10,000 pounds which is carrying hazardous  
9 materials, and any motor vehicle with a capacity of 16 or more persons shall stop the  
10 vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad. While  
11 stopped, the driver shall listen and look in both directions along the track for any  
12 approaching train and shall not proceed until he can do so safely. Upon proceeding, the  
13 driver of the vehicle shall cross the track in a gear that allows the driver to cross the track  
14 without changing gears and the driver shall not change gears while crossing the track or  
15 tracks."

16 Section 2. G.S. 20-142.3(b) reads as rewritten:

17 "(b) Except for school ~~buses,~~ buses and activity buses, the provisions of this section  
18 shall not require the driver of a vehicle to stop:

- 1           (1)    At railroad tracks used exclusively for industrial switching purposes  
2                within a business district.
- 3           (2)    At a railroad grade crossing which a police officer or crossing flagman  
4                directs traffic to proceed.
- 5           (3)    At a railroad grade crossing protected by a gate or flashing signal  
6                designed to stop traffic upon the approach of a train, when the gate or  
7                flashing signal does not indicate the approach of a train.
- 8           (4)    At an abandoned railroad grade crossing which is marked with a sign  
9                indicating that the rail line is abandoned.
- 10          (5)    At an industrial or spur line railroad grade crossing marked with a sign  
11                reading "Exempt" erected by or with the consent of the appropriate State  
12                or local authority."

13           Section 3. This act becomes effective August 1, 1999 and applies to offenses  
14   occurring on or after that date.