

By Senator Campbell

33-1197-98

See HB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to railroad-highway grade
crossings; amending s. 351.034, F.S.;
prohibiting a train, railroad car, or engine
from blocking a railroad-highway grade crossing
for a certain time; providing an effective
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 351.034, Florida Statutes, is
amended to read:

351.034 Railroad-highway grade crossings to be cleared
for emergency vehicles.--Except for trains or equipment
stopped due to mechanical failure where separation or movement
is not possible, any train or equipment that has come to a
complete stop and is blocking a railroad-highway grade
crossing must be cut, separated, or moved to clear the
crossing upon the approach of any emergency vehicle, which for
the purpose of this law shall be:

- (1) An ambulance operated by public authority or by private persons;
- (2) A fire engine; or an emergency vehicle operated by power or electric companies; ~~or~~
- (3) Any other vehicle when operated as an emergency vehicle, defined as one which is engaged in the saving of life, property, or responding to any other public peril; or
- (4) Emergency vehicles used as such by the Government of the United States.†

1 When upon the approach of such emergency vehicle, such
2 vehicle gives due warning of its approach to such crossing by
3 the sounding of sirens, flashing of lights, waving of flag, or
4 any other warning sufficient to attract attention to such
5 emergency vehicle; and thereupon the said train or equipment
6 shall be cut and said crossing shall be cleared with all
7 possible dispatch to permit the crossing and passing through
8 of said emergency vehicle. In addition to the provisions of
9 this section, it is unlawful for any railroad corporation to
10 permit any train, railroad car, or engine to obstruct public
11 travel at a railroad-highway grade crossing for a period of
12 more than 5 minutes, except if such train, railroad car, or
13 engine cannot be moved by reason of circumstances over which
14 the railroad corporation has no control.

15 Section 2. This act shall take effect October 1, 1998.

16 *****

17
18 LEGISLATIVE SUMMARY

19 Prohibits a train, railroad car, or engine from blocking
20 a railroad-highway grade crossing for more than 5
21 minutes.