

By Representative Stafford

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

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

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

13           351.034 Railroad-highway grade crossings to be cleared  
14   for emergency vehicles.--Except for trains or equipment  
15   stopped due to mechanical failure where separation or movement  
16   is not possible, any train or equipment that has come to a  
17   complete stop and is blocking a railroad-highway grade  
18   crossing must be cut, separated, or moved to clear the  
19   crossing upon the approach of any emergency vehicle, which for  
20   the purpose of this law shall be:

21           (1) An ambulance operated by public authority or by  
22   private persons;

23           (2) A fire engine; or an emergency vehicle operated by  
24   power or electric companies; ~~or~~

25           (3) Any other vehicle when operated as an emergency  
26   vehicle, defined as one which is engaged in the saving of  
27   life, property, or responding to any other public peril; or

28           (4) Emergency vehicles used as such by the Government  
29   of the United States.†

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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, 1997.

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18 HOUSE SUMMARY

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

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