

1 A bill to be entitled
 2 An act relating to railroad-highway grade crossings;
 3 amending s. 351.03, F.S.; prohibiting a railroad train
 4 from blocking a public highway, street, or road at a
 5 railroad-highway grade crossing for more than a
 6 specified time period; providing exceptions; providing
 7 civil penalties; exempting certain persons from
 8 liability for violations under certain circumstances;
 9 providing construction; providing an effective date.

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

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 13 Section 1. Subsection (6) is added to section 351.03,
 14 Florida Statutes, to read:

15 351.03 Railroad-highway grade-crossing warning signs and
 16 signals; audible warnings; exercise of reasonable care; blocking
 17 highways, roads, and streets ~~during darkness.~~

18 (6) (a) A railroad train that has come to a complete stop
 19 and is blocking a public highway, street, or road at a railroad-
 20 highway grade crossing may not remain stopped for more than 15
 21 minutes unless such stoppage is due to a safety-related
 22 emergency or a mechanical failure that renders movement of the
 23 train impossible.

24 (b) The owner or operator of a railroad train that
 25 violates paragraph (a) shall be fined:

26 1. If the crossing is blocked for more than 15 minutes but
27 less than 20 minutes, \$200.

28 2. If the crossing is blocked for 20 minutes or more but
29 less than 30 minutes, \$300.

30 3. If the crossing is blocked for 30 minutes or more but
31 less than 1 hour, \$600.

32 4. If the crossing is blocked for 1 hour, \$1,200, plus an
33 additional \$1,000 for each 15 minutes after that hour.

34 (c) A person who is a member of a railroad train crew,
35 yard crew, or engine crew shall not be held personally liable
36 for the violation of any state law or municipal or county
37 ordinance that regulates or intends to regulate the occupying or
38 blocking of a public highway, street, or road at a railroad-
39 highway grade crossing by a railroad train, whether passenger or
40 freight, upon reasonable proof that the person's action was
41 necessary due to circumstances beyond his or her control or in
42 order to comply with written or verbal orders or instructions
43 from his or her employer or employer's agent. This paragraph
44 does not relieve the employer or railroad company of any
45 responsibility of the employer or railroad company pursuant to
46 such state law or municipal or county ordinance.

47 Section 2. This act shall take effect July 1, 2019.