

HOUSE BILL NO. HB0233

Trains blocking roadways.

Sponsored by: Representative(s) Harvey, Brown, Buchanan
and Teeters and Senator(s) Geis, Peterson
and Von Flatern

A BILL

for

1 AN ACT relating to railroads; prohibiting blocking of
2 public highways at grade crossings as specified; providing
3 penalties; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 37-10-106 is created to read:

8

9 **37-10-106. Blocking of public road crossing**
10 **prohibited; penalty.**

11

12 (a) A railroad company, except in an emergency, shall
13 not order, allow or permit the operation of its system so
14 that a train or other railroad equipment blocks the passage
15 of vehicular traffic over the railroad crossing of any
16 public street, road or highway for a period longer than ten

1 (10) minutes. This section does not apply to any blockage
2 of traffic caused by a continuously moving train or caused
3 by circumstances wholly beyond the control of the railroad,
4 but does apply to all other blockages including, but not
5 limited to, those caused by a stopped train or a train
6 engaged in switching, loading or unloading operations.

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8 (b) Upon receiving notification from a law
9 enforcement officer, member of a fire department, operator
10 of an emergency medical vehicle or a member of an emergency
11 services provider that emergency circumstances require the
12 immediate clearing of a public highway railroad grade
13 crossing, the members of the train crew of the train,
14 engine, railroad car or equipment blocking the crossing
15 shall immediately notify the appropriate railroad
16 dispatcher of the emergency situation and the railroad
17 shall immediately clear the crossing, consistent with the
18 safe operation of the railroad.

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20 (c) Any railroad company whose employees or agents
21 knowingly violate the provisions of this section shall be
22 guilty of a misdemeanor and shall:

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1 (i) For a first conviction be punished by a fine
2 of not more than two hundred dollars (\$200.00);

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4 (ii) For a second conviction within one (1) year
5 thereafter, be punished by a fine of not more than three
6 hundred dollars (\$300.00);

7

8 (iii) For a third or subsequent conviction
9 within one (1) year after the first conviction, be punished
10 by a fine of not more than five hundred dollars (\$500.00).

11

12 **Section 2.** This act is effective July 1, 2009.

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14

(END)