

SECOND REGULAR SESSION

# HOUSE BILL NO. 2172

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DEEKEN (Sponsor) AND SCHIEFFER (Co-sponsor).

Read 1st time February 14, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 389.614, RSMo, and to enact in lieu thereof one new section relating to railroad crossing safety, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 389.614, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 389.614, to read as follows:

389.614. **1.** Railroad warning devices which are installed or maintained by order or by rule of the [division of motor carrier and railroad safety] **state highways and transportation commission** are presumed to be adequate and appropriate warning devices for the crossing. All railroads shall continue to exercise reasonable care at railroad crossings for the safety of the members of the public using the crossing.

**2. Railroads operating within this state shall maintain a minimum distance of two hundred fifty feet from the near edge of railroad crossings for engines or railroad rolling stock stored on a siding or other track, and shall not store any engines or rolling stock within two hundred fifty feet of a railroad crossing. If a railroad is parting a train to clear a crossing, an employee of the railroad shall be on the ground at the crossing to warn approaching motorists of engines or rolling stock approaching on any tracks. Railroads in violation of this section may be assessed penalties in accordance with section 622.480, RSMo.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.