

FIRST REGULAR SESSION

HOUSE BILL NO. 743

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TOWNLEY.

Read 1st time February 12, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1908L.011

AN ACT

To amend chapter 389, RSMo, by adding thereto one new section relating to railroad crossings of public roads.

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

Section A. Chapter 389, RSMo, is amended by adding thereto one new section, to be known as section 389.655, to read as follows:

389.655. 1. Notwithstanding any provision of section 300.360, RSMo, or other laws to the contrary, a railroad, street railroad or light rail shall not operate, stop or place any train, including any locomotive engine, car, or light rail vehicle, which blocks or prevents the public from traveling across the tracks upon any public highway or walkway for more than ten minutes, except when one train is moving continuously across the highway in one direction, when a train is stopped and cannot safely proceed because of an emergency or until it is repaired, or when otherwise ordered by the division.

2. The division and its personnel may enforce this section, pursuant to the provisions of this chapter and chapter 622, RSMo, with regard to any railroad, street railroad or light rail, and every officer or employee thereof that operates, controls, or is responsible for operating or controlling the operation of a train in violation of this section. The authority of the division and its personnel pursuant to this section is exclusive, and preempts any law, ordinance or regulation of any other agency or civil subdivision of the state relating to the blocking of highway crossings by railroad, street railroad or light rail, except that this section shall not affect any court action provided by law for the recovery of damages.