

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2225

As Recommended by House Committee on
Transportation

Brief*

HB 2225 would require a driver to stop a vehicle at least 15 feet but not more than 50 feet before crossing a railroad track under certain circumstances if other on-track equipment, in addition to a railroad train as in current law, is nearby. The circumstances under which such a stop would be required are the same as those for which a stop is required for a railroad train under current law:

- A clearly visible electric or mechanical signal device gives warning of the approach of the train or other on-track equipment;
- A crossing gate is lowered or when a human flagman gives a signal that a train or on-track equipment is approaching or passing;
- The railroad train or on-track equipment approaching within approximately 1,500 feet emits a signal audible from such distance and is, by reason of speed or proximity, an immediate hazard; or
- The approaching railroad train or on-track equipment is plainly visible and is in hazardous proximity to such crossing.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the House Committee on Transportation at the request of Representative Ballard on behalf of Representative Helgerson.

At the House Committee hearing, a representative of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters provided proponent testimony. He stated on-track maintenance equipment cannot stop within a reasonable distance (like a train engine or train engine with cars) and the bill would clarify motorist responsibilities. He also stated similar legislation had been enacted in 19 other states.

No neutral or opponent testimony was provided.

The fine in continuing law for failure to stop or obey a road crossing signal is \$195 (KSA 2018 Supp. 8-2118).

According to the fiscal note prepared by the Division of the Budget, enactment of the bill would have no fiscal effect.