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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 466

Session of  
1985

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INTRODUCED BY CORNELL, BUNT, FOX, LASHINGER, REBER,  
J. L. WRIGHT, TRELLO, HERMAN, SEVENTY, TELEK, KUKOVICH, DEAL,  
VROON, GEIST, MORRIS, CIMINI, PETRARCA, E. Z. TAYLOR,  
MICOZZIE AND PISTELLA, FEBRUARY 27, 1985

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REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 27, 1985

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing that certain vehicles carrying  
3 hazardous materials stop at all railroad crossings.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 3342 of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3342. Vehicles required to stop at railroad crossings.

9 (a) General rule.--Except as provided in subsection (b), the  
10 driver of any vehicle described in regulations issued pursuant  
11 to subsection (c) or described in subsection (d), before  
12 crossing at grade any track or tracks of a railroad, shall stop  
13 the vehicle within 50 feet but not less than 15 feet from the  
14 nearest rail of the railroad and while so stopped shall listen  
15 and look in both directions along the track for any approaching  
16 train, and for signals indicating the approach of a train, and  
17 shall not proceed until it can be done safely. After stopping

1 and upon proceeding when it is safe to do so the driver of the  
2 vehicle shall cross only in such gear of the vehicle that there  
3 will be no necessity for manually changing gears while  
4 traversing the crossing and the driver shall not manually shift  
5 gears while crossing the track or tracks.

6 (b) Exceptions.--This section does not apply to any of the  
7 following:

8 (1) Any railroad grade crossing at which traffic is  
9 controlled by a police officer or flagman.

10 (2) Any railroad grade crossing at which traffic is  
11 regulated by a traffic-control signal.

12 (3) [Any railroad grade crossing protected by crossing  
13 gates or an alternately flashing light signal intended to  
14 give warning of the approach of a railroad train.

15 (4)] Any railroad grade crossing at which an official  
16 traffic-control device gives notice that the stopping  
17 requirement imposed by this section does not apply.

18 (c) Regulations defining vehicles subject to section.--The  
19 department shall adopt such regulations as may be necessary  
20 describing the vehicles which must comply with the stopping  
21 requirements of this section. In formulating the regulations,  
22 the department shall give consideration to the hazardous nature  
23 of any substance carried by the vehicle as determined by the  
24 Hazardous Substances Transportation Board and to the number of  
25 passengers carried by the vehicle in determining whether the  
26 vehicle shall be required to stop. These regulations shall be  
27 developed in conjunction with the Pennsylvania Public Utility  
28 Commission and the Urban Mass Transportation Authority and shall  
29 correlate with and so far as possible conform to the current  
30 regulations of the United States Department of Transportation.

1     (d) Mandatory requirement to stop.--Every truck and truck  
2 tractor combination which carries gasoline, fuel oil, explosives  
3 or other hazardous materials designated in department  
4 regulations shall stop at every railroad crossing as required by  
5 this section. The driver of the truck and truck tractor  
6 combination shall activate the vehicle hazard lights when  
7 stopping at the railroad crossing.

8     (e) Penalty.--A violation of this section constitutes a  
9 summary offense punishable by a fine of from \$50 to \$100, except  
10 that a violation of subsection (d) shall be punishable by a fine  
11 of from \$100 to \$300.

12     Section 2. This act shall take effect in 60 days.