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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1357 Session of  
2017

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INTRODUCED BY HANNA, KINSEY AND MARSHALL, MAY 9, 2017

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REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 9, 2017

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in special stops required, further providing for  
3 obedience to signal indicating approach of train, for  
4 vehicles required to stop at railroad crossings and for  
5 moving heavy equipment at railroad grade crossings.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Sections 3341(a), 3342(a) and (g) and 3343(c) and  
9 (d) of Title 75 of the Pennsylvania Consolidated Statutes are  
10 amended to read:

11 § 3341. Obedience to signal indicating approach of train.

12 (a) General rule.--Whenever any person driving a vehicle  
13 approaches a railroad grade crossing under any of the  
14 circumstances stated in this section, the driver of the vehicle  
15 shall stop within 50 feet but not less than 15 feet from the  
16 nearest rail of the railroad and shall not proceed until it can  
17 be done safely. The foregoing requirements shall apply upon the  
18 occurrence of any of the following circumstances:

19 (1) A clearly visible electric or mechanical signal  
20 device gives warning of the immediate approach of a railroad

1 train or other on-track equipment.

2 (2) A crossing gate is lowered or a flagman gives or  
3 continues to give a signal of the approach or passage of a  
4 railroad train or other on-track equipment.

5 (3) A railroad train or other on-track equipment  
6 approaching within approximately 1,500 feet of the highway  
7 crossing emits a signal audible from that distance and the  
8 railroad train or other on-track equipment, by reason of its  
9 speed or nearness to the crossing, is a hazard.

10 (4) An approaching railroad train or other on-track  
11 equipment is plainly visible and is in hazardous proximity to  
12 the crossing.

13 \* \* \*

14 § 3342. Vehicles required to stop at railroad crossings.

15 (a) General rule.--Except as provided in subsection (c), the  
16 driver of any vehicle described in subsection (b), before  
17 crossing at grade any track or tracks of a railroad, shall stop  
18 the vehicle within 50 feet but not less than 15 feet from the  
19 nearest rail of the railroad crossing and while so stopped shall  
20 listen and look in both directions along the track for any  
21 approaching train or other on-track equipment, and for signals  
22 indicating the approach of a train or other on-track equipment.  
23 When it is safe to do so, the driver of the vehicle shall drive  
24 the vehicle across the tracks only in such gear of the vehicle  
25 that there will be no necessity for manually changing gears  
26 while traversing the crossing. The driver shall not manually  
27 shift gears while crossing the track or tracks.

28 \* \* \*

29 (g) Requirement upon approaching tracks.--Upon approaching  
30 any track of a railroad, the driver of every commercial motor

1 vehicle as defined by section 1603 (relating to definitions)  
2 other than those listed in subsection (b) shall:

3 (1) reduce the rate of speed of the commercial motor  
4 vehicle and check that the tracks are free of approaching  
5 trains or other on-track equipment; and

6 (2) stop the vehicle if the tracks are not clear.

7 \* \* \*

8 § 3343. Moving heavy equipment at railroad grade crossings.

9 \* \* \*

10 (c) Stopping at crossing.--Before making any crossing, the  
11 person operating or moving the vehicle or equipment shall first  
12 stop the vehicle or equipment not less than 15 feet nor more  
13 than 50 feet from the nearest rail of the railroad and while so  
14 stopped shall listen and look in both directions along the track  
15 for any approaching train or other on-track equipment and for  
16 signals indicating the approach of a train or other on-track  
17 equipment, and shall not proceed until the crossing can be made  
18 safely.

19 (d) Movement over crossing.--No crossing shall be made when  
20 warning is given by automatic signal or crossing gates or a  
21 flagman or otherwise of the immediate approach of a railroad  
22 train or other on-track equipment or car. Movement over a  
23 crossing shall be under the direction of any flagman provided by  
24 the railroad.

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