

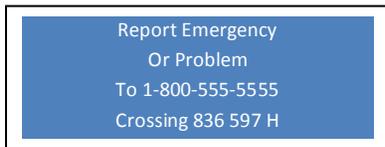
FINES, PENALTIES, AND DISQUALIFICATIONS

Violation of the Florida Statutes can result in a moving violation or a criminal violation. While the Florida Statutes sets a monetary fine, local ordinance and other law enforcement agencies (including the Railroad) may apply additional fines and penalties at the local and federal level. Florida Statutes allows enforcement agencies, authorities, and specialists to issue traffic citations. **Section 322.61, Florida Statutes**, provides for the disqualification of a driver from operating a commercial motor vehicle.

LOCATION IDENTIFICATION IN AN EMERGENCY

In the event of an emergency, it is important to first identify the location of the crossing. The following are ways to determine this information:

- Most railroads have some type of crossing identification signage attached to their traffic control device. The railroad identification sign may be a small rectangular plate (similar to a license plate) identifying the railroad and a six (6) digit number followed by a character. The following is an example:



- If this sign cannot be found, look for any small metal building near the crossing. Typically on the side of these buildings will be location information. Locate the roadway mile marker, any intersecting cross street names, any nearby highway structures, any known landmarks, and/or any visible address.

All of this information is important due to possible parallel rail lines and roads crossing the same rail line more than once.

PERMITTING

A permit issued by the Florida Department of Transportation to move a vehicle with special considerations on the Florida highway system is only applicable on state roads and federal roads.

Movement of a vehicle on roads under the jurisdiction of a county, any municipality, or private entity, is the responsibility of the roadway owner.

Information on acquiring a permit in the State of Florida can be found by contacting the Florida DOT Permits Office (850) 410-5777.

RAILROAD CONTACTS (EASTERN TIME ZONE)

In the event of an emergency, contact the railroad from the listing below:

Alabama and Gulf Coast Railway
(251) 575-5008
(800) 342-1131 (Rail America – Parent Company)

AN Railway
(800) 757-7387

Bay Line Railroad, LLC
(800) 757-7387

CSX Transportation, Inc.
(800) 232-0144

First Coast Railroad
(800) 757-7387 x112

Florida Central, Midland, & Northern Railroads
(407) 880-8500 (8:00 am to 5:00 pm)
(407) 849-7898 (5:00 pm to 8:00 am)

Florida East Coast Railway
(904) 538-8800
Press 2 and then 1 to report an emergency on Florida East Coast Railway in the State of Florida

Florida West Coast Railway (Answering Service)
(352) 463-1103 (8:00 am to 5:00 pm)

Georgia & Florida Railnet
(229) 435-6629 (6:00 am to 12:00 am)
(229) 436-5733 (12:00 am to 6:00 am)
(877) 276-3777 (OmniTrax – Parent Company)

Norfolk Southern Railway Corporation
(800) 946-4744
(800) 453-2530

Seminole Gulf Railway
(239) 275-9043

South Central Florida Express
(863) 983-3163 (6:00 am to 10:00 pm)
(863) 983-3348 (10:00 pm to 6:00 am)

EMERGENCY CONTACT

If the railroad cannot be identified or contacted, contact the: Florida Division of Emergency Management
1-800-320-0519 (800) 226-4329 (TDD/TTY)
850-413-9911

STATE CONTACT

For comments or questions contained in this brochure, please contact the following office:

Florida Department of Transportation
Public Transportation, Rail Office Phone: 850-414-4500
605 Suwannee Street, M.S. 25, Tallahassee, FL 32399
<http://www.dot.state.fl.us/rail/>

FLORIDA MOTOR VEHICLE LAWS COMMONLY VIOLATED AT HIGHWAY RAILROAD GRADE CROSSINGS



The Florida Department of Transportation (FDOT) is aware of motor vehicle violations at highway-railroad grade crossings throughout the State of Florida. FDOT works closely with our law enforcement partners around the state to prevent highway-railroad grade collisions. A collision with a train and/or a crossing traffic control devices by a motor vehicle can result in the following:

- Injury and/or fatalities to motor vehicle operators, rail passengers, and pedestrians
- Longer traffic delays at and near the crossing
- Local or regional environmental contamination
- Increased congestion to adjacent crossings
- Property damage to the crossing, nearby structures and railroad rolling stock
- Railroad operational delays

Violations may occur due to many reasons, and included but are not limited to the following:

- Risky behavior by individuals challenging the laws and traffic control devices
- Lack of knowledge of the laws pertaining to crossings
- Unfamiliarity with the visual and/or movement perception of trains
- Lack of awareness of train operations
- Infrequent use of the crossing by a train

MOTOR VEHICLE LAWS THAT MUST BE OBSERVED

State of Florida motor vehicle laws can be found in **Title XXIII, Motor Vehicles, Chapter 316, State Uniform Traffic Control** and at the Internet web address: <http://www.leg.state.fl.us/>. State of Florida laws regarding Commercial Vehicle Drivers adhere to the **Code of Federal Regulations, Title 49**.

STATE OF FLORIDA LAWS THAT ARE APPLICABLE TO CROSSINGS INCLUDE THE FOLLOWING:

SECTION 316.0775(1), FLORIDA STATUTES – INTERFERENCE WITH TRAFFIC CONTROL DEVICES, RAILROAD SIGNS OR SIGNALS

A person may not, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof. A violation of this subsection is a criminal violation pursuant to s. 318.17 and shall be punishable as set forth in s. 806.13 related to criminal mischief and graffiti, beginning on or after July 1, 2000.

SECTION 316.087 FURTHER LIMITATIONS ON DRIVING TO LEFT OF CENTER OF ROADWAY

(1) No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

(d) When approaching within 100 feet of or traversing any railroad grade crossing

SECTION 316.1515, FLORIDA STATUTES-LIMITS ON TURNING AROUND:

The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction upon any street unless such movement can be made in safety and without interfering with other traffic and unless such movement is not prohibited by posted traffic control signs. A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

SECTION 316.1575(2), FLORIDA STATUTES – OBEDIENCE TO TRAFFIC CONTROL DEVICES AT RAILROAD HIGHWAY GRADE CROSSINGS

No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad-highway grade crossing while the gate or barrier is closed or is being opened or closed.

SECTION 316.159(1), FLORIDA STATUTES – CERTAIN VEHICLES TO STOP AT ALL RAILROAD GRADE

The driver of any motor vehicle carrying passengers for hire, excluding taxicabs, of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad and, while so stopped, shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he or she can do so safely.

After stopping as required herein and upon proceeding when it is safe to do so, the driver of any such vehicle shall cross only in a gear of the vehicle so that there will be no necessity for changing gears while traversing the crossing, and the driver shall not shift gears while crossing the track or tracks.

SECTION 316.170, FLORIDA STATUTES – MOVING HEAVY EQUIPMENT AT RAILROAD GRADE CROSSING:

- (1) No person shall operate or move any crawler-type tractor, steam shovel, derrick, or roller, or any equipment or structure having a normal operating speed of 10 or less miles per hour or a vertical body or load clearance of less than $\frac{1}{2}$ inch per foot of the distance between any two adjacent axles or in any event of less than 9 inches, measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with this section.
- (2) Notice of any such intended crossing shall be given to a station agent or other proper authority of the railroad, and a reasonable time shall be given to the railroad to provide proper protection at the crossing.
- (3) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than 15 feet nor more than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.
- (4) No such crossing shall be made when warning is being given by automatic signal or crossing gates or a flagger or otherwise of the immediate approach of a railroad train or car. If a flagger is provided by the railroad, movement over the crossing shall be under his or her direction.

Note – Some additional considerations that may invoke the requirements of **Section 316.170, Florida Statutes**, include but are not limited to the following:

- Heavy, wide, and/or long vehicles with/without loads
- Transporting loads requiring more than one drive unit
- Articulated vehicles and trailers combinations
- Vehicles carrying sensitive loads
- Vehicles carrying loads with a high center of gravity
- Multiple turning movements and maneuvers
- Skew angle of the roadway in relation to the track
- Roadway curvature
- Steep grade
- Roadway profile on both sides of the crossing
- Roadway and/or track cross slope
- Roughness of the crossing area

- Tire traction in the crossing area
- Stability of the roadway surface and shoulder area
- Vertical obstacles in the crossing area such as overhead signs, traffic signals, wires, trees limbs, structures, etc.
- Lateral obstacles in the crossing area such as signs, traffic signals, poles, trees, structures, roadway curbing, etc.
- Other barriers and obstacles outside the crossing area
- Multiple tracks
- Heavy rail traffic

This handout does not address requirements for the issuance of a permit. Information regarding legal requirements pertaining to weight, height, length, and width, can be found in **Rule 14-26.012, Florida Administrative Code**

Some crossings may have a sign posted (as shown below) by the local municipality to indicate that caution should be exercised for the movement of vehicles. The profile of a crossing may change over time due to crossing replacement, maintenance by the local municipality/railroad, by heavy use, and/or by natural settlement.



SECTION 316.1945(1), FLORIDA STATUTES – STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIC PLACES

- (1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:
 - a) Stop, stand, or park a vehicle ... on any railroad tracks.
 - b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers ... within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway.
 - c) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers ... within 50 feet of the nearest rail of a railroad crossing unless the Department of Transportation establishes a different distance due to unusual circumstances.