MOTOR VEHICLE LAWS COMMONLY VIOLATED AT HIGHWAY RAILROAD GRADE CROSSINGS IN THE STATE OF FLORIDA

The Florida Department Of Transportation, working with law enforcement using visual and video observation, is acutely aware of motor vehicle violations at highway railroad grade crossings (or crossings) throughout the State of Florida. 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 of concern
- Local or regional environmental contamination
- Increased congestion to the regional traffic control system
- 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:

- Lack of knowledge of the laws pertaining to crossings
- Unfamiliarity with the visual and/or movement perception of trains
- Risky behavior by individuals challenging the laws and traffic control devices
- 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***.

Laws that are applicable to crossings that must be observed while operating in the State of Florida include the following:

Section 316.0775, Florida Statutes - Interference With Official Traffic Control Devices Or Railroad Signs Or Signals:

> ***No person shall, 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 section 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.

Note – Crossing traffic control devices are more likely damaged when vehicles drive in the crossing area and hit the crossing traffic control devices while active and/or when the crossing traffic control devices are tampered with by individuals.

Section 316.1515, Florida Statutes - Limitations On Turning Around:

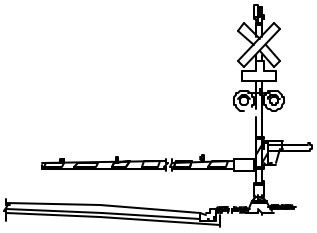
The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction upon any street unless such movement can be made in safety and without interfering with other traffic and unless such movement is not prohibited by posted traffic control signs. A violation of this section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

Note - U-turns are not permitted in the track area due to the fact that this area is not a roadway area, but the track area. Turning movements using a double or triple drive unit may damage the crossing surface. Vehicles may also experience problems associated with surface traction, railroad debris, and/or crossing traffic control devices.

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.

Note - Vehicle operators frequently ignore crossing traffic control devices deployed to protect the public, railroad assets, and railroad operations.



Section 316.159(1), Florida Statutes - Certain Vehicles To Stop At All Railroad Grade Crossings:

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 316.1945(1), Florida Statutes - Stopping, Standing, Or Parking Prohibited In Specified Places:

(a)8 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….stop, stand, or park a vehicle….on any railroad tracks.

(b)4 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)1 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.

Note – Motor vehicles at or near the crossing can result in an unsafe condition as well as obstruct the crossing traffic control devices.

Section 316.170, Florida Statutes – Moving Heavy Equipment At Railroad Grade Crossings:

(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 MPH or a vertical body or load clearance of less than ½ 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 protection at the crossing.

(3) 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 the 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,*** to notify the railroad authority due to the time to traverse and clear the crossing area include but are not limited to the following:

- Heavy, wide, and/or long vehicles with/without loads
- Transporting loads requiring more that one drive unit
- Articulated vehicles and trailers combinations
- Vehicles caring sensitive loads
- Vehicles caring 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 area
- Roadway and/or track super elevation/cross slope
- Roughness of the crossing area
- Tire traction in the crossing area
- Stability of the roadway surface and roadway 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

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.

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***, at the Internet web address:

http://fac.dos.state.fl.us/faconline/chapter14.pdf

Fines, Penalties, and Disqualifications

Violation of the Florida Statutes can result in a moving violation ***Section 318.17, Florida Statutes***, or a criminal violation ***Section 806.13, Florida Statutes***.

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.

Section 316.640, 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.

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 (designated as S.R.) and federal roads (designated as U.S. and Interstate).

Movement of a vehicle on roads under the jurisdiction of a county (designated as C.R.), 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 Department Of Transportation
Permits Office
605 Suwannee Street, MS 62
Tallahassee, Florida 32399-0450
1-866-374-3368, Ext. 5777 or
850-410-5777 (8:00 am to 5:00 pm EST, Mon. thru Fri.)
(8:00 am to 12:00 pm EST, Sat.)

Contact can also be made at the Internet web address:

http://www2.dot.state.fl.us/permit/default.asp

Location Identification In An Emergency

In the event of an emergency, it is important to first identify the location of the crossing. Information that will help railroad includes but is not limited to the following:

- 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 a problem is encountered in locating a sign attached to any crossing traffic control devices, locate any small metal buildings near the crossing. Typically on the side of these buildings will be location information for the train engineer to see as the train passes thru the crossing and may include the crossing number, the street name, and the railroad milepost.
- Roadway identification should include the United States (U.S.) Number, the State Road (S.R.) Number, the County Road (C.R.) Number and/or the local street name.
- Location on the roadway needs to include 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.

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

AN Railway
850-229-7411 (8:00 am to 5:00 pm)
850-647-2803 (5:00 pm to 8:00 am)

Bay Line Railroad, LLC
850-785-4609

CSX Transportation, Inc.
800-232-0144

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
800-342-1131, Ext. 2302

Florida West Coast Railway (Answering Service)
352-463-1101 (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)

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:

Office Of Emergency Management
1-800-320-0519
850-413-9900 or 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
605 Suwannee Street, M.S. 25
Tallahassee, Florida 32399-0450
Office 850-414-4500 FAX 850-414-4508

This information can be found at the Internet web address:

http://www11.myflorida.com/rail/

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