

State of Wisconsin



2005 Assembly Bill 512

Date of enactment: **January 4, 2006**
Date of publication*: **January 19, 2006**

2005 WISCONSIN ACT 95

AN ACT *to renumber and amend* 192.29 (5); *to amend* 192.29 (5) (title) and 195.286 (5); and *to create* 192.29 (5) (b) and 346.44 (1) (c) of the statutes; **relating to**: traffic regulations and traffic control devices at railroad crossings and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 192.29 (5) (title) of the statutes is amended to read:

192.29 (5) (title) ~~DANGER~~ RAILROAD CROSSING AND YIELD SIGNS.

SECTION 2. 192.29 (5) of the statutes is renumbered 192.29 (5) (a) and amended to read:

192.29 (5) (a) Wherever its track crosses a public highway or street, every railroad corporation shall maintain on each side of the track ~~and near such crossing a large signboard with the following inscription, painted in large letters: "Railroad Crossing," in such manner as to be visible to approaching traffic on the highway or street at least 100 feet distant a highway-rail-grade crossing sign, commonly known as a crossbuck sign, that conforms with the manual of uniform traffic control devices adopted by the department under s. 84.02 (4) (e).~~

SECTION 3. 192.29 (5) (b) of the statutes is created to read:

192.29 (5) (b) No later than July 1, 2007, at every railroad crossing at which a railroad corporation is required to maintain a sign described in par. (a) and that is not controlled by a gate, automatic signal, or official stop sign, the railroad corporation shall install and maintain, below the sign described in par. (a), a yield sign that conforms

with the manual of uniform traffic control devices adopted by the department under s. 84.02 (4) (e).

SECTION 4. 195.286 (5) of the statutes is amended to read:

195.286 (5) **OTHER SIGNS PROHIBITED.** No other sign of the general size or appearance of the signs provided for in this section shall be placed or permitted upon any highway, nor any sign between such advance signs except signs or signals now required by law or permitted by the office for protection at railway crossings.

SECTION 5. 346.44 (1) (c) of the statutes is created to read:

346.44 (1) (c) If any crossbuck sign specified under s. 192.29 (5) (a) is maintained at the crossing, while any train occupies the crossing or approaches so closely to the crossing as to constitute a hazard of collision.

SECTION 6. Nonstatutory provisions.

(1) The department of transportation shall, upon request, provide to each railroad company one yield sign for each location at which a yield sign is required to be installed by the railroad company under section 192.29 (5) (b) of the statutes, as created by this act. The department may charge a fee, which may not exceed the department's actual cost, for each sign provided under this subsection. The department is not required to provide to any railroad company a yield sign first requested after the first day of the 13th month beginning after the effective

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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date of this subsection. Every railroad company shall be responsible for the installation, maintenance, and replacement, and all costs associated therewith, of any sign received from the department under subsection.

(2) No railroad corporation may be held liable for damage to any person or property arising from a traffic

accident at the railroad crossing that occurs on or after the effective date of this subsection and before July 2, 2007, and that is caused, or asserted to be caused, in whole or in part by the railroad corporation's failure to install a yield sign as provided under section 192.29 (5) (b) of the statutes, as created by this act.
