

Gary, Aaron

From: Gary, Aaron
Sent: Monday, April 25, 2005 10:45 AM
To: Boardman, Kristina
Subject: RE: LRB 1252/P1

Hi Kristina,

With regard to your question at the bottom of the e-mail, I believe the signs need to be in place by July 1, 2007 and the railroads could put them up any time before then. The non-statutory provision [13th month] basically says that, if the railroad wants to obtain the sign from DOT for cost, the railroad needs to request it from DOT within roughly one year of the time the bill is enacted. This provision was much more important under the prior incarnation of the bill (under which DOT was supplying the signs for free). Also, the "July 1, 2007" language got reworked in editing and perhaps is a little odd. Do you want me to change the language "Beginning on July 1, 2007" to "No later than July 1, 2007"? It might be more clear.

With regard to the bold comment under s. 192.295 (5) (b), while the first sentence is entirely logical, I cannot find anything in existing law to support the statement ("existing law ... holds that crossbucks ... mandate that drivers ... yield"). And the requested change to s. 346.44 (1) (c) in the next part of the e-mail suggests that in fact this statement is not consistent with existing law. Can the RR attorney provide any authority for his or her statement here? Perhaps I'm just missing it.

Finally, before we finalize this, I just wanted to make sure that s. 195.286, stats., doesn't conflict with any of the provisions in the bill or that you don't want to "clean up" that statute. That statute contains somewhat similar sign posting provisions. I just want to make sure that the "advance warning signs" referenced in s. 195.286 are not crossbucks or, if they are, that you don't want to amend that provision as well to replace the term "advance warning signs" with something more specific, as we have done in this bill.

Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

He w/ Kristina 4/25
yes

concern is liability

-----Original Message-----

From: Boardman, Kristina
Sent: Friday, April 22, 2005 11:53 AM
To: Gary, Aaron
Subject: LRB 1252/P1

Aaron:

I have received some additional feedback from the railroad companies regarding LRB 1252/P1 (yield signs).

There are a couple language additions they are interested in making. Basically, they do not want the intent of crossbucks downgraded by making this change. They want to be sure that the public does not think that lack of a yield sign means you aren't required to yield.

At this point - I would like to request a "slash P2" to be sure that everyone is on board (ha!) with the changes.

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

192.29 (5) (b) Beginning on 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).

***The requirement to install yield signs on crossbucks shall not change existing law in Wisconsin which holds that crossbucks in and of themselves mandate that drivers shall yield to trains approaching or occupying a crossing. In addition, the fact that a yield sign was not present at a crossing where a crossbuck is installed shall never be a basis for liability in the event of a train-vehicle collision at such crossing.**

This language in bold has been requested by Canadian National. The RR attorney felt it should be placed at the bottom of this section. I will leave that decision to you, as well as what language might be more appropriate.

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

346.44 (1) (c) If a crossbuck only or a crossbuck with a yield sign is erected and maintained at the crossing, while any train occupies the crossing or approaches so closely to the crossing as to constitute a hazard of collision.

Questions:

There seems to be some confusion on when yield signs need to be in place. Do they need to be in place by July 1, 2007? Or is this when the railroads can start putting them in? How does the 13th month beginning after the effective date factor in?

Thank you Aaron. As always, please contact me with any questions.

Have a good weekend,
Kristina

Kristina Boardman, Committee Clerk
Assembly Committee on Transportation
Representative Ainsworth's Office
608.266.3097 - phone
kristina.boardman@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

soon

P2

LRB-1252/P1

ARG:lmk&jld:pg

keep

RMR

in 4/25

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

J-note

ReGen

1 AN ACT to repeal 195.282; to renumber and amend 192.29 (5); to amend
2 192.29 (5) (title) and 195.286 (5); and to create 192.29 (5) (b) and 346.44 (1) (c)
3 of the statutes; relating to: traffic regulations and traffic control devices at
4 railroad crossings and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the operator of a vehicle:

1. May not drive the vehicle on or across a railroad crossing while being signaled to stop by a traffic officer, railroad employee, or warning device. After stopping for a warning device, however, the operator may proceed if no train is approaching.
2. May not drive the vehicle through, around, or under any railroad crossing gate or barrier if it is closed or is being opened or closed.
3. Must, when approaching an official stop sign at a railroad crossing, stop the vehicle at least 10 feet but not more than 30 feet from the nearest rail before proceeding on or over the railroad crossing.

An operator who fails to comply with item 1. or 2., above, may be required to forfeit not more than \$1,000, except that a bicyclist may be required to forfeit not more than \$40. An operator who fails to comply with item 3., above, may be required to forfeit not less than \$40 nor more than \$80 or, for a second or subsequent violation within a year, not less than \$100 nor more than \$200, except that a bicyclist may be required to forfeit not more than \$40.

This bill prohibits the operator of a vehicle from driving the vehicle on or across a railroad crossing that is posted with a yield sign if any train occupies the crossing

More from p. 2

crossback or

or approaches so closely to the crossing as to constitute a hazard of collision. An operator who fails to comply with this prohibition is subject to the same forfeiture that applies to a violation of item 1. and 2., above. ✓

¶ Current law requires railroad companies to maintain "Railroad Crossing" signs on each side of the tracks wherever their tracks cross public highways or streets. Current law also permits the Office of the Commissioner of Railroads, upon petition of the Department of Transportation (DOT), a local authority, or other interested party, to issue an order requiring the installation of certain railroad crossing improvements (automatic signals or other warning devices to improve safety). DOT pays for the cost of installing the signals or other warning devices and the railroad companies pay for the cost of maintaining the signals or other warning devices, subject to available reimbursement from DOT of up to 50 percent of the annual maintenance costs.

This bill modernizes terms used to refer to the "Railroad Crossing" sign, commonly known as a crossbuck sign, and requires that such signs required to be maintained by railroad companies conform with the Manual on Uniform Traffic Control Devices adopted by DOT. The bill also requires railroad companies, ~~beginning on~~ July 1, 2007, to install and maintain a yield sign below the crossbuck sign at any crossing at which the railroad is required to maintain a crossbuck sign and that is not controlled by a gate, automatic signal, or stop sign. DOT must provide to railroad companies one yield sign for each location at which a yield sign is required to be installed and may charge a fee, which may not exceed DOT's actual cost, for each sign provided. The railroad companies are responsible for the installation, maintenance, and replacement, and all costs associated therewith, of the yield signs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 SECTION 1. 192.29 (5) (title) of the statutes is amended to read:
- 2 192.29 (5) (title) ~~DANGER~~ RAILROAD CROSSING AND YIELD SIGNS.
- 3 SECTION 2. 192.29 (5) of the statutes is renumbered 192.29 (5) (a) and amended
- 4 to read:
- 5 192.29 (5) (a) Wherever its track crosses a public highway or street, every
- 6 railroad corporation shall maintain on each side of the track ~~and near such crossing~~
- 7 a large signboard with the following inscription, painted in large letters: "Railroad
- 8 Crossing," in such manner as to be visible to approaching traffic on the highway or

move to 1.1

not later than

insert Amend

move

1 street at least 100 feet distant a highway-rail-grade crossing sign, commonly known
 2 as a crossbuck sign, that conforms with the manual on uniform traffic control devices
 3 adopted by the department under s. 84.02 (4) (e).

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

5 192.29 (5) (b) ^{No later than} ~~Beginning on~~ July 1, 2007, at every railroad crossing at which
 6 a railroad corporation is required to maintain a sign described in par. (a) and that
 7 is not controlled by a gate, automatic signal, or official stop sign, the railroad
 8 corporation shall install and maintain, below the sign described in par. (a), a yield
 9 sign that conforms with the manual of uniform traffic control devices adopted by the
 10 department under s. 84.02 (4) (e).

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

12 195.286 (5) OTHER SIGNS PROHIBITED. No other sign of the general size or
 13 appearance of the signs provided for in this section shall be placed or permitted upon
 14 any highway, nor any sign between such advance signs except signs or signals now
 15 required by law or permitted by the office for protection at railway crossings.

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

17 346.44 (1) (c) If ^{any crossbuck or} a yield sign is ~~erected and~~ maintained at the crossing, while
 18 any train occupies the crossing or approaches so closely to the crossing as to
 19 constitute a hazard of collision. ✓

20 SECTION 6. Nonstatutory provisions.

21 (1) The department of transportation shall, upon request, provide to each
 22 railroad company one yield sign for each location at which a yield sign is required to
 23 be installed by the railroad company under section 192.29 (5) (b) of the statutes, as
 24 created by this act. The department may charge a fee, which may not exceed the
 25 department's actual cost, for each sign provided under this subsection. The

specified under ✓
s. 192.29(5)

insert
3-10

SECTION 6

1 department is not required to provide to any railroad company a yield sign first
2 requested after the first day of the 13th month beginning after the effective date of
3 this subsection. Every railroad company shall be responsible for the installation,
4 maintenance, and replacement, and all costs associated therewith, of any sign
5 received from the department under subsection.

6 (END)

J. W. W. W.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1252/P2ins
ARG:.....

INSERT ANAL:

(no P) The railroad companies may not be held liable for damage to any person or property arising from a traffic accident at the railroad crossing caused by the railroad companies' failure to install and maintain these yield signs. ✓

INSERT 3-10:

(no P) No railroad corporation may be held liable for damage to any person or property arising from a traffic accident at the railroad crossing caused, or asserted to be caused, in whole or in part by the railroad corporation's failure to install and maintain a yield sign as required under this paragraph. ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1252/P2dn

ARG:.....

lmk

(date)

✓ ✓
ATTN: Kristina Boardman

The attached redraft makes the changes we discussed to created s. 192.29 (5) (b). With respect to created s. 346.44 (1) (c), under the bill, there should always be a crossbuck sign wherever there is a yield sign, so making reference to a yield sign and a crossbuck in s. 346.44 (1) (c) is redundant. I debated whether to simply replace the word "yield sign" with "crossbuck sign" at p. 3, line 17 of LRB-1252/P1. However, I decided to reference both signs in the attached redraft in the unlikely event that weather conditions or vandalism result in a crossbuck sign being down while the yield sign remains.

It is my understanding that the "advance warning sign" referenced in s. 195.286 is something other than the crossbuck or yield sign referenced in this draft, but you may wish to confer with the Office of Commissioner of Railroads (probably Attorney Doug Wood) or DOT on this issue.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1252/P2dn

ARG:lmk:ch

April 28, 2005

ATTN: Kristina Boardman

The attached redraft makes the changes we discussed to created s. 192.29 (5) (b). With respect to created s. 346.44 (1) (c), under the bill, there should always be a crossbuck sign wherever there is a yield sign, so making reference to a yield sign and a crossbuck in s. 346.44 (1) (c) is redundant. I debated whether to simply replace the word "yield sign" with "crossbuck sign" at p. 3, line 17 of LRB-1252/P1. However, I decided to reference both signs in the attached redraft in the unlikely event that weather conditions or vandalism result in a crossbuck sign being down while the yield sign remains.

It is my understanding that the "advance warning sign" referenced in s. 195.286 is something other than the crossbuck or yield sign referenced in this draft, but you may wish to confer with the Office of Commissioner of Railroads (probably Attorney Doug Wood) or DOT on this issue.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

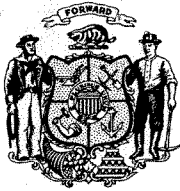
5/6

He w/ Kristina Boardman

LRB-1252

- p. 3, lines 12-16:
 - too broad: wants it ~~limited~~^{narrowed} so that liability limitation is confined to time from bill passage to time sign, must be up - July 1, 2007

· make "1/3"^{xx}



State of Wisconsin
2005 - 2006 LEGISLATURE

5002

in 5/6

LRB-1252/P2 P3
ARG:lmk&jld:ch
keep
LMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Reisen

1 AN ACT *to renumber and amend* 192.29 (5); *to amend* 192.29 (5) (title) and
2 195.286 (5); and *to create* 192.29 (5) (b) and 346.44 (1) (c) of the statutes;
3 **relating to:** traffic regulations and traffic control devices at railroad crossings
4 and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires railroad companies to maintain "Railroad Crossing" signs on each side of the tracks wherever their tracks cross public highways or streets. Current law also permits the Office of the Commissioner of Railroads, upon petition of the Department of Transportation (DOT), a local authority, or other interested party, to issue an order requiring the installation of certain railroad crossing improvements (automatic signals or other warning devices to improve safety). DOT pays for the cost of installing the signals or other warning devices and the railroad companies pay for the cost of maintaining the signals or other warning devices, subject to available reimbursement from DOT of up to 50 percent of the annual maintenance costs.

This bill modernizes terms used to refer to the "Railroad Crossing" sign, commonly known as a crossbuck sign, and requires that such signs required to be maintained by railroad companies conform with the Manual on Uniform Traffic Control Devices adopted by DOT. The bill also requires railroad companies, not later than July 1, 2007, to install and maintain a yield sign below the crossbuck sign at any crossing at which the railroad is required to maintain a crossbuck sign and that is not controlled by a gate, automatic signal, or stop sign. DOT must provide to

that occurs between the bill's effective date and July 1, 2007, and that is

railroad companies one yield sign for each location at which a yield sign is required to be installed and may charge a fee, which may not exceed DOT's actual cost, for each sign provided. The railroad companies are responsible for the installation, maintenance, and replacement, and all costs associated therewith, of the yield signs. The railroad companies may not be held liable for damage to any person or property arising from a traffic accident at the railroad crossing caused by the railroad companies' failure to install and maintain these yield signs.

Under current law, the operator of a vehicle:

1. May not drive the vehicle on or across a railroad crossing while being signaled to stop by a traffic officer, railroad employee, or warning device. After stopping for a warning device, however, the operator may proceed if no train is approaching.

2. May not drive the vehicle through, around, or under any railroad crossing gate or barrier if it is closed or is being opened or closed.

3. Must, when approaching an official stop sign at a railroad crossing, stop the vehicle at least 10 feet but not more than 30 feet from the nearest rail before proceeding on or over the railroad crossing.

An operator who fails to comply with item 1. or 2., above, may be required to forfeit not more than \$1,000, except that a bicyclist may be required to forfeit not more than \$40. An operator who fails to comply with item 3., above, may be required to forfeit not less than \$40 nor more than \$80 or, for a second or subsequent violation within a year, not less than \$100 nor more than \$200, except that a bicyclist may be required to forfeit not more than \$40.

This bill prohibits the operator of a vehicle from driving the vehicle on or across a railroad crossing that is posted with a crossbuck or yield sign if any train occupies the crossing or approaches so closely to the crossing as to constitute a hazard of collision. An operator who fails to comply with this prohibition is subject to the same forfeiture that applies to a violation of item 1. and 2., above.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2 192.29 (5) (title) ~~DANGER~~ RAILROAD CROSSING AND YIELD SIGNS.

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

5 192.29 (5) (a) Wherever its track crosses a public highway or street, every
6 railroad corporation shall maintain on each side of the track ~~and near such crossing~~

1 a large signboard with the following inscription, painted in large letters: "Railroad
2 Crossing," in such manner as to be visible to approaching traffic on the highway or
3 street at least 100 feet distant a highway-rail-grade crossing sign, commonly known
4 as a crossbuck sign, that conforms with the manual ^{of} uniform traffic control devices
5 adopted by the department under s. 84.02 (4) (e).

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

7 192.29 (5) (b) No later than July 1, 2007, at every railroad crossing at which
8 a railroad corporation is required to maintain a sign described in par. (a) and that
9 is not controlled by a gate, automatic signal, or official stop sign, the railroad
10 corporation shall install and maintain, below the sign described in par. (a), a yield
11 sign that conforms with the manual of uniform traffic control devices adopted by the

12 department under s. 84.02 (4) (e). No railroad corporation may be held liable for
13 damage to any person or property arising from a traffic accident at the railroad
14 crossing caused, or asserted to be caused, in whole or in part by the railroad
15 corporation's failure to install and maintain a yield sign as ^{provided} required under ~~this~~
16 ~~section 192.29 (5) (b) of the statutes,~~ ^{as created by this act}
~~paragraph.~~

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

18 195.286 (5) OTHER SIGNS PROHIBITED. No other sign of the general size or
19 appearance of the signs provided for in this section shall be placed or permitted upon
20 any highway, nor any sign between such advance signs except signs or signals now
21 required by law or permitted by the office for protection at railway crossings.

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

23 346.44 (1) (c) If any crossbuck or yield sign specified under s. 192.29 (5) is
24 maintained at the crossing, while any train occupies the crossing or approaches so
25 closely to the crossing as to constitute a hazard of collision.

that occurs on or after the effective date
of this subsection and before July 2nd, 2007,
and that is

Move
to 4-12

MOVE

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, May 17, 2005 10:55 AM
To: Boardman, Kristina
Subject: RE: Amended yield sign draft

Hi Kristina,

Item 1 change looks fine.

For item 2 change, I would just eliminate the reference to yield sign on p. 3, line 21, since the yield sign reference would be entirely redundant. Is this okay? OK

Do you want this redrafted as a "/P4" or a "/1"? /1

Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Boardman, Kristina
Sent: Tuesday, May 17, 2005 9:05 AM
To: Gary, Aaron
Subject: FW: Amended yield sign draft

Aaron:

A couple of additional minor changes are needed to the yield sign at RR crossing draft (LRB 1252/P3):

1) page 4, line 15 - delete the words "and maintain". In other words, the railroads will be liable if they do not maintain the sign - but will not be liable if the sign has not been erected prior to July 2, 2007.

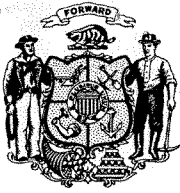
2) The railroads are thinking that additional clarification may be needed to section 5 of the draft. They would like to clarify that the yield sign must be with a crossbuck - not stand alone signage. The language they suggested for page 3 - line 21 is the following: "If any crossbuck sign specified under s. 192.29 (5) or crossbuck along with a yield sign specified....."

I will defer to your judgment on what may be most appropriate for this section.

Thanks again for your continued help.

Kristina

Kristina Boardman, Committee Clerk
Assembly Committee on Transportation
Representative Ainsworth's Office
608.266.3097 - phone
kristina.boardman@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

soon

LRB-1252/P3 1
ARG:lmk&jld:pg

in 5/17

KEEP RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Reisen

1 AN ACT *to renumber and amend* 192.29 (5); *to amend* 192.29 (5) (title) and
2 195.286 (5); and *to create* 192.29 (5) (b) and 346.44 (1) (c) of the statutes;
3 **relating to:** traffic regulations and traffic control devices at railroad crossings
4 and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires railroad companies to maintain "Railroad Crossing" signs on each side of the tracks wherever their tracks cross public highways or streets. Current law also permits the Office of the Commissioner of Railroads, upon petition of the Department of Transportation (DOT), a local authority, or other interested party, to issue an order requiring the installation of certain railroad crossing improvements (automatic signals or other warning devices to improve safety). DOT pays for the cost of installing the signals or other warning devices and the railroad companies pay for the cost of maintaining the signals or other warning devices, subject to available reimbursement from DOT of up to 50 percent of the annual maintenance costs.

This bill modernizes terms used to refer to the "Railroad Crossing" sign, commonly known as a crossbuck sign, and requires that such signs required to be maintained by railroad companies conform with the Manual on Uniform Traffic Control Devices adopted by DOT. The bill also requires railroad companies, not later than July 1, 2007, to install and maintain a yield sign below the crossbuck sign at any crossing at which the railroad is required to maintain a crossbuck sign and that is not controlled by a gate, automatic signal, or stop sign. DOT must provide to

railroad companies one yield sign for each location at which a yield sign is required to be installed and may charge a fee, which may not exceed DOT's actual cost, for each sign provided. The railroad companies are responsible for the installation, maintenance, and replacement, and all costs associated therewith, of the yield signs. The railroad companies may not be held liable for damage to any person or property arising from a traffic accident at the railroad crossing that occurs between the bill's effective date and July 1, 2007, and that is caused by the railroad companies' failure to install and maintain these yield signs.

Under current law, the operator of a vehicle:

1. May not drive the vehicle on or across a railroad crossing while being signaled to stop by a traffic officer, railroad employee, or warning device. After stopping for a warning device, however, the operator may proceed if no train is approaching.

2. May not drive the vehicle through, around, or under any railroad crossing gate or barrier if it is closed or is being opened or closed.

3. Must, when approaching an official stop sign at a railroad crossing, stop the vehicle at least 10 feet but not more than 30 feet from the nearest rail before proceeding on or over the railroad crossing.

An operator who fails to comply with item 1. or 2., above, may be required to forfeit not more than \$1,000, except that a bicyclist may be required to forfeit not more than \$40. An operator who fails to comply with item 3., above, may be required to forfeit not less than \$40 nor more than \$80 or, for a second or subsequent violation within a year, not less than \$100 nor more than \$200, except that a bicyclist may be required to forfeit not more than \$40.

This bill prohibits the operator of a vehicle from driving the vehicle on or across a railroad crossing that is posted with a crossbuck or yield sign if any train occupies the crossing or approaches so closely to the crossing as to constitute a hazard of collision. An operator who fails to comply with this prohibition is subject to the same forfeiture that applies to a violation of item 1. and 2., above.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2 192.29 (5) (title) DANGER RAILROAD CROSSING AND YIELD SIGNS.

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

1 192.29 (5) (a) Wherever its track crosses a public highway or street, every
2 railroad corporation shall maintain on each side of the track ~~and near such crossing~~
3 ~~a large signboard with the following inscription, painted in large letters: "Railroad~~
4 ~~Crossing," in such manner as to be visible to approaching traffic on the highway or~~
5 ~~street at least 100 feet distant~~ a highway-rail-grade crossing sign, commonly known
6 as a crossbuck sign, that conforms with the manual of uniform traffic control devices
7 adopted by the department under s. 84.02 (4) (e).

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

9 192.29 (5) (b) No later than July 1, 2007, at every railroad crossing at which
10 a railroad corporation is required to maintain a sign described in par. (a) and that
11 is not controlled by a gate, automatic signal, or official stop sign, the railroad
12 corporation shall install and maintain, below the sign described in par. (a), a yield
13 sign that conforms with the manual of uniform traffic control devices adopted by the
14 department under s. 84.02 (4) (e).

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

16 195.286 (5) OTHER SIGNS PROHIBITED. No other sign of the general size or
17 appearance of the signs provided for in this section shall be placed or permitted upon
18 any highway, nor any sign between such advance signs except signs or signals now
19 required by law or permitted by the office for protection at railway crossings.

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

21 346.44 (1) (c) If any crossbuck ~~or yield~~ sign specified under s. 192.29 (5) ^(a) is
22 maintained at the crossing, while any train occupies the crossing or approaches so
23 closely to the crossing as to constitute a hazard of collision.

24 **SECTION 6. Nonstatutory provisions.**

Basford, Sarah

From: Boardman, Kristina
Sent: Friday, May 27, 2005 10:20 AM
To: LRB.Legal
Subject: Draft review: LRB 05-1252/1 Topic: Yielding at railroad crossings

It has been requested by <Boardman, Kristina> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-1252/1 Topic: Yielding at railroad crossings