



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2011 Wisconsin Act 101**  
[2011 Assembly Bill 274]

### **Yielding at Railroad Crossings and Requirements for Railroads to Maintain Their Right-of-Way**

2011 Wisconsin Act 101 relates to requiring motorists to yield to railroad track equipment at railroad crossings and requiring a railroad to maintain its right-of-way.

A vehicle operator may not drive across a railroad crossing when a train occupies or is closely approaching the crossing. Operators of certain vehicles, including motor buses, school buses, and motor vehicles used for transporting hazardous, flammable, or explosive materials (covered vehicles), have additional requirements. Before crossing any nonexempt railroad, an operator of a covered vehicle must generally stop, listen, and look in both directions for an approaching train before proceeding.

The Act defines “railroad track equipment” as “a device that is operated on rails and used primarily for the maintenance of railroads.” For railroad crossing purposes, the Act treats railroad track equipment similarly to railroad trains. As a result, a vehicle operator must yield to railroad track equipment at a railroad crossing in the same manner that he or she are required to yield to a railroad train.

Wisconsin law also provides that a railroad must keep its right-of-way clear of brush or trees for at least 330 feet in each direction from the center of a public railroad, and “for any such further distance as is necessary to provide an adequate view of approaching trains” from the highway.

The Act maintains the requirement that a railroad must keep its right-of-way clear of brush or trees for at least 330 feet in each direction from the center of a public railroad. However, the Act eliminates the requirement that a railroad must keep its right-of-way clear of brush or trees, “for any such further distance as is necessary to provide an adequate view of approaching trains.”

**Effective date:** December 21, 2011.

**Prepared by:** Mike Queensland, Staff Attorney

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.