



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 219
[2013 Assembly Bill 799]

**Pedestrians Crossing Railroad
Tracks**

2013 Wisconsin Act 219 prohibits a pedestrian from entering or crossing a railroad crossing under any of the following circumstances:

- While a traffic officer or railroad employee signals to stop.
- While a warning device signals to stop, unless the pedestrian, after stopping and investigating, finds that no railroad train or railroad track equipment is approaching.
- If a crossbuck sign is maintained at the crossing, while a train is occupying the crossing or closely approaching the crossing.

The Act also prohibits a pedestrian from crossing through, around, over, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed. A pedestrian also may not cross through or around or climb over a railroad train or railroad track equipment while the train or track equipment occupies a railroad crossing.

Under the Act, a pedestrian who violates the above prohibitions against entering or crossing a railroad crossing is subject to a forfeiture of \$100 to \$250 for a first offense, and a forfeiture of \$225 to \$700 for a second or subsequent offense within three years. The Act also applies these forfeiture amounts to railroad crossing violations committed by bicyclists and operators of personal mobility devices.

Finally, the Act requires a railroad company to make a notice containing a telephone number at which a person may contact the company available to private landowners at each private traveled grade crossing at the request of the private landowner.

Effective date: July 1, 2014.

Prepared by: David Moore, Staff Attorney

April 14, 2014

DM:jb;ksm

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.wisconsin.gov>.