

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas *As Engrossed: H1/25/01, S4/3/01 S4/6/01 S4/11/01*

2 83rd General Assembly

A Bill

Act 1804 of 2001

3 Regular Session, 2001

HOUSE BILL 1103

4

5 By: Representative J. Taylor

6

7

8

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 23-12-410 TO
10 UPDATE THE REQUIREMENT FOR TRAINS TO SOUND A HORN
11 AT RAILROAD CROSSINGS; AND FOR OTHER PURPOSES.

12

13

Subtitle

14 TO UPDATE THE REQUIREMENT FOR TRAINS TO
15 SOUND A HORN AT RAILROAD CROSSINGS.

16

17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19

20 SECTION 1. Arkansas Code 23-12-410 is amended to read as follows:

21 23-12-410. ~~Bell or whistle~~ Audible warning device to be sounded at
22 crossing - Penalty and damages.

23 ~~A bell of at least thirty pounds (30 lbs.) weight or a steam whistle~~
24 ~~shall be placed on each locomotive or engine and shall be rung or whistled at~~
25 ~~the distance of at least eighty (80) rods from the place where the road shall~~
26 ~~cross any other road or street. The bell or whistle shall be kept ringing or~~
27 ~~whistling until it shall have crossed the road or street, under a penalty of~~
28 ~~two hundred dollars (\$200) for every neglect, to be paid by the corporation~~
29 ~~owning the railroad. One half (1/2) of the penalty is to go to the informer~~
30 ~~and the other half (1/2) to the county. The corporation shall also be liable~~
31 ~~for all damages which shall be sustained by any person by reason of such~~
32 ~~neglect.~~

33 (a) To give warning of a train's approach, an audible warning device
34 meeting standards prescribed by the Federal Railroad Administration shall be
35 sounded at least one-quarter (1/4th) mile in advance of each location in
36 Arkansas where a railroad crosses any public road, highway, or street or where

1 any public road, highway, or street crosses any railroad and shall be sounded
2 until the lead locomotive clears the crossing.

3 (b) Any railroad company failing to warn of the train's approach as
4 required in this section, shall be liable upon a finding of a violation for a
5 fine of two hundred dollars (\$200.00) for each occurrence. The penalty shall
6 be recovered in a civil action in the name of the state.

7 */s/ J. Taylor*

8

9

10 APPROVED: 4/18/2001

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36