

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

3 Regular Session, 2001

HOUSE BILL 1103

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5 By: Representative J. Taylor

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## For An Act To Be Entitled

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AN ACT TO AMEND ARKANSAS CODE § 23-12-410 TO

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UPDATE THE REQUIREMENT FOR TRAINS TO SOUND A HORN

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AT RAILROAD CROSSINGS; AND FOR OTHER PURPOSES.

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## Subtitle

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TO UPDATE THE REQUIREMENT FOR TRAINS TO

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SOUND A HORN AT RAILROAD CROSSINGS.

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

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

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23-12-410. ~~Bell or whistle~~ Audible warning device to be sounded at

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crossing - Penalty and damages.

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~~A bell of at least thirty pounds (30 lbs.) weight or a steam whistle~~

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~~shall be placed on each locomotive or engine and shall be rung or whistled at~~

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~~the distance of at least eighty (80) rods from the place where the road shall~~

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~~cross any other road or street. The bell or whistle shall be kept ringing or~~

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~~whistling until it shall have crossed the road or street, under a penalty of~~

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~~two hundred dollars (\$200) for every neglect, to be paid by the corporation~~

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~~owning the railroad. One half (1/2) of the penalty is to go to the informer~~

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~~and the other half (1/2) to the county. The corporation shall also be liable~~

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~~for all damages which shall be sustained by any person by reason of such~~

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~~neglect.~~

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(a) To give warning of a train's approach, an audible warning device

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meeting standards prescribed by the Federal Railroad Administration shall be

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sounded at least one-quarter (1/4<sup>th</sup>) mile in advance of each location in

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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*

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