1   State of Arkansas

2   85th General Assembly

A Bill

3   Regular Session, 2005   HOUSE BILL 2512

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5   By: Representative Pate

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8   **For An Act To Be Entitled**

9   AN ACT TO PROVIDE FOR PUBLIC SAFETY CONCERNING

10   RAILROAD CROSSINGS IN CITIES OF THE FIRST AND

11   SECOND CLASS AND INCORPORATED TOWNS; AND FOR

12   OTHER PURPOSES.

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14   **Subtitle**

15   TO PROVIDE FOR PUBLIC SAFETY CONCERNING

16   RAILROAD CROSSINGS IN CITIES OF THE

17   FIRST AND SECOND CLASS AND INCORPORATED

18   TOWNS.

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

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23   SECTION 1. Arkansas Code Title 23, Chapter 12, Subchapter 3 is amended

24   to add an additional section to read as follows:

25   23-12-309. Crossings - Public safety.

26   (a) On or before January 1, 2009, every entity owning, controlling, or

27   operating railroad tracks in this state shall install an automatic gate

28   assembly with flashing lights at all railroad crossings within the corporate

29   limits of cities of the first class, cities of the second class, and

30   incorporated towns within this state.

31   (b) This section shall not apply to:

32   (1) An entity owning, controlling, or operating railroad tracks

33   that are located solely within one (1) county; or

34   (2) An entity owning, controlling, or operating railroad tracks

35   that are used solely for the purpose of transporting passengers.

36   (c) An entity owning, controlling, or operating railroad tracks in

1   this state that fails or refuses to comply with the provisions of this

2   section on or before January 1, 2009, shall be subject to a fine of one

3   thousand dollars ($1,000) per day for each day that the automatic gate

4   assemblies are not installed and operational.

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