

## APPENDIX

### Uniform Vehicle Code and Model Traffic Ordinance

Since the Uniform Vehicle Code (UVC) was first published in 1926, it has played a major role in achieving uniformity among the various states. Today, its influence can be seen in nearly all the states, particularly in the codification of "rules of the road" provisions included within the motor vehicle codes. Relevant parts of the UVC are reproduced here – inviting the reader to make comparisons.

#### **§ 11-206 - Display of unauthorized signs, signals, or markings**

(a) No person shall place, maintain, or display upon or in view of any highway an unauthorized sign, signal, marking, or device that purports to be, is an imitation of, or resembles an official traffic-control device or railroad sign or signal, attempts to direct the movement of traffic, or hides from view or interferes with the effectiveness of an official traffic-control device or any railroad sign or signal.

#### **§ 11-207 - Interference with official traffic control devices**

No person shall, without lawful authority, attempt to or in fact alter, twist, deface, injure, knock down, remove or interfere with the effective operation of any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any part thereof. (Revised, 1975.)

#### **§11-306 - Further limitations on driving on left of center of roadway**

(a) No vehicle shall be driven on the left side of the roadway under the following conditions:

1. When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
2. When approaching within one hundred feet or traversing any intersection or railroad grade crossing unless otherwise indicated by official traffic control-devices; or
3. When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct or tunnel.

### **Article V- Pedestrians' Rights and Duties**

#### **§ 11-513 - Bridge and Railroad Signals**

(a) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

(b) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

## **Article VII- Special Stops Required**

### **§ 11-701- Obedience to signal indicating approach of train**

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet, but not less than 15 feet, from the nearest rail of such railroad, and shall not proceed until it is safe to do so. The forgoing requirements shall apply when:

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
2. A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train; (revised, 1992.)
3. A railroad train approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or
4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

### **§ 11-702 - Certain vehicles must stop at all railroad grade crossings**

(a) Except as provided in subsection (b), the driver of any vehicle described in regulations pursuant to subsection (c), before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet, but not less than 15 feet, from the nearest rail of such railroad and, while so stopped, shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train and shall not proceed until it is safe to do so. After stopping as required herein, and upon proceeding when it is safe to do so, the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing such crossing and the driver shall not manually shift gears while crossing the track or tracks. (Revised, 1992.)

(b) This section shall not apply at:

- (1) Any railroad grade crossing at which traffic is controlled by a police officer or human flagger; (Revised, 1992.)
- (2) Any railroad grade crossing at which traffic is regulated by a traffic-control signal;
- (3) Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train; or
- (4) Any railroad grade crossing at which an official traffic control device gives notice that the stopping requirement imposed by this section does not apply.

(c) The (commissioner or other appropriate State official or agency) shall adopt such regulations as may be necessary describing the vehicles that must comply with the stopping requirements of this section. In formulating such regulations, the (commissioner or other appropriate State official or agency), shall give consideration to the number of passengers carried by the vehicle and the hazardous nature of any substance carried by the vehicle in determining whether such vehicle shall be required to stop. Such regulations shall correlate with, and so far as possible conform, to the most recent regulation of the United States Department of Transportation. (This regulation can be found in 49 Code of Federal Regulations § 392.10.)

### **§ 11-703 - Moving heavy equipment at railroad grade crossings**

(a) No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structures that have a normal operating speed of ten or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

(b) Notice of any such intended crossing shall be given to a station agent of such railroad, and a reasonable time be given to such railroad, to provide proper protection at such crossing.

(c) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than 15 feet, nor more than 50 feet, from the nearest rail of such railroad and while so stopped shall listen and look, in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

(d) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagger or otherwise of the immediate approach of a railroad train or car. If a flagger is provided by the railroad, movement over the crossing shall be under the flagger's direction. (Section renumbered, 1986; Revised, 1992.)

### **§ 11-801 - Basic rule**

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Consistent with the foregoing, every person shall drive a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions. (Revised, 1968.)

### **§ 11-1003 - Stopping, standing, or parking prohibited in specific places**

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

1. Stop, stand, or park a vehicle on any railroad tracks;

2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway; (Revised, 1968.) or

3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while engaged in loading or unloading property or passengers within 50 feet of the nearest railroad crossing. (Revised, 1971.)

#### **§ 11-1112 - Stop when traffic obstructed**

No driver shall enter an intersection or a marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk or railroad grade crossing to accommodate the vehicle such driver is operating without obstructing the passage of other vehicles, pedestrians or railroad trains notwithstanding any traffic-control signal indication to proceed. (New, 1971; Revised, 1992.)

#### **§ 11 -1114 - Railroad trains not to block crossings**

No person or government agency shall operate any train in such a manner as to prevent vehicular use of any roadway for a period of time in excess of five consecutive minutes except:

1. When necessary to comply with signals affecting the safety of the movement of trains;
2. When necessary to avoid striking any object or person on the track;
3. When the train is disabled;
4. When the train is in motion except while engaged in switching operations;
5. When there is no vehicular traffic waiting to use the crossing; or
6. When necessary to comply with a governmental safety regulation.

This appendix was prepared using the Uniform Vehicle Code and Model Traffic Ordinance, 1992, Updates as of January, 1998. National Committee on Uniform Traffic Laws and Ordinances, 107 S. West Street, #110, Alexandria, Virginia 22314. Available also at Internet Home Page [www.nculto.org](http://www.nculto.org).