

## Senate Bill 296

### *Testimony regarding railroad crossing offenses and commercial driver license suspensions.*

*Delivered by Kelly Taylor, Legislative Coordinator,  
ODOT Driver and Motor Vehicle Services Division*

*February 20, 2001*

#### **INTRODUCTION**

This bill was requested by the Department of Transportation to comply with new federal regulations on commercial motor vehicle railroad crossing offenses and commercial driver license suspensions.

#### **WHAT THE BILL DOES**

Federal Motor Carrier Safety Administration has adopted new regulations that include new and expanded railroad crossing offenses and commercial driver license suspensions for violating railroad-crossing offenses. The Department must have these new regulations in place by October 4, 2002, or Oregon could lose highway funds. We have worked closely with Federal Motor Carrier Safety Administration staff to ensure SB 296 meets the new regulations.

#### **Railroad crossing offenses -**

Three of the offenses already exist in Oregon law:

- Failure to stop for a railroad signal (ORS 811.455);
- Failure to follow rail crossing procedures for high-risk vehicles (ORS 811.460);
- Obstructing a rail crossing (ORS 811.475).

The expanded offenses are:

- Failing to negotiate a crossing because of insufficient undercarriage clearance (ORS 811.475);
- Failing to obey the directions of a " police officer" at a railroad crossing (ORS 811.455).

The new offense is:

- Failing to slow down and check that the tracks are clear of an approaching train.

#### **Commercial driver license suspensions -**

There will be new commercial driver license suspensions for drivers of commercial motor vehicles who are convicted of any of the previously mentioned railroad crossing offenses. The duration of the suspensions will be:

- 60 days for a first conviction,
- 120 days for a second conviction if the second offense was committed within a three-year period of the first offense,

One year for a third or subsequent conviction if third or subsequent offense was committed within a three-year period of the second offense.

#### **SUMMARY**

With Senate Bill 296, the Department will be in compliance with new federal regulations for commercial drivers. I ask the committee to support the bill.