

# HB5245



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5245

Introduced 2/8/2012, by Rep. Cynthia Soto

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/18c-7403

from Ch. 95 1/2, par. 18c-7403

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning railroad safety standards.

LRB097 19580 HEP 64834 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 18c-7403 as follows:

6 (625 ILCS 5/18c-7403) (from Ch. 95 1/2, par. 18c-7403)

7 Sec. 18c-7403. Enforcement and Waiver of Safety  
8 Requirements.

9 (1) Enforcement. Except with regard to grade crossing  
10 obstructions under Section 18c-7402 of this Chapter and ~~and~~  
11 trespass on railroad rights of way and yards under Section  
12 18c-7503 of this Chapter, jurisdiction to initiate actions to  
13 enforce provisions of this Chapter is vested exclusively in the  
14 Commission. Where a valid federal statute, regulation, or order  
15 sets forth procedures or sanctions for violation of safety  
16 standards, and such procedures or sanctions are preemptive of  
17 state law, the Commission shall exercise its enforcement  
18 jurisdiction under this Article in accordance therewith.  
19 Otherwise, the provisions of this Chapter regarding  
20 enforcement procedures and sanctions shall apply.

21 (2) Waiver. The Commission may waive any of the safety  
22 requirements under this Article if continued adherence to the  
23 requirement or requirements is not required for the safety of

1 railroad employees or the public.

2 (Source: P.A. 90-257, eff. 7-30-97.)