

1 AN ACT in regard to railroads.

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
5 changing 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
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
14 the Commission. Where a valid federal statute, regulation,
15 or order sets forth procedures or sanctions for violation of
16 safety standards, and those such procedures or sanctions are
17 preemptive of state law, the Commission shall exercise its
18 enforcement jurisdiction under this Article in accordance
19 therewith. Otherwise, the provisions of this Chapter
20 regarding 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
24 railroad employees or the public.

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