

REVISOR'S NOTE: This section presently appears as Art. 41, §208E.

The only changes are in style.

8-640. CONSTRUCTION AND MAINTENANCE OF RAILROAD CROSSINGS BY RAILROAD AND ADMINISTRATION.

(A) DUTY OF RAILROAD.

AT EACH GRADE CROSSING OF A HIGHWAY AND A RAILROAD, THE RAILROAD SHALL:

(1) KEEP ITS ROADBED AND THE HIGHWAY IN PROPER REPAIR SO AS TO PROVIDE ABSOLUTELY SAFE AND EASY APPROACH TO AND CROSSING OF THE TRACKS; OR

(2) SUBJECT TO APPROVAL BY THE ADMINISTRATION, CONSTRUCT A RAILROAD GRADE SEPARATION.

(B) GENERAL POWERS OF ADMINISTRATION.

(1) THE ADMINISTRATION MAY ABANDON, RELOCATE, CONSTRUCT, OR RECONSTRUCT ANY RAILROAD GRADE CROSSING OR RAILROAD GRADE SEPARATION THAT IS DANGEROUS OR INCONVENIENT FOR PUBLIC TRAVEL.

(2) IF A RAILROAD GRADE CROSSING IS DANGEROUS OR INCONVENIENT FOR PUBLIC TRAVEL, THE ADMINISTRATION MAY CONSTRUCT A RAILROAD GRADE SEPARATION.

(C) WORK TO BE DONE BY RAILROAD.

(1) THE ADMINISTRATION MAY REQUIRE THE RAILROAD TO DO ANY OF THE WORK NEEDED UNDER THIS SECTION, ON THE TERMS AND CONDITIONS THAT THE ADMINISTRATION SPECIFIES.

(2) IF THE RAILROAD FAILS TO DO ANY WORK REQUIRED OF IT UNDER THIS SECTION, THE ADMINISTRATION MAY PERFORM THE WORK ITSELF AND COLLECT THE RAILROAD'S SHARE OF THE COST FROM THE RAILROAD.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §§ 50, 51, and 52.

In subsection (a) of this section, the reference in present §50 to required safety equipment at railroad grade crossings is deleted as unnecessary in light of §8-639 of this subtitle. Also, the provisions of present §50 on ex parte judgments are deleted as obsolete.

In subsection (b) of this section, the reference in present §51 to a railroad "worked by steam or other power" is deleted as