

(2) A vertical body or load clearance, measured above the level surface of a roadway, of less than:

(i) One-half inch for each foot of the distance between any two adjacent axles; or

(ii) 9 inches.

(b) Before any person drives or moves any equipment described in subsection (a) of this section on or across any railroad grade crossing, the person shall:

(1) Notify an agent of the railroad of his intention; and

(2) Afford the railroad reasonable time to provide proper protection at the crossing.

(c) When the person approaches the crossing, he:

(1) Shall stop within 50 feet but not less than 15 feet from the nearest rail in the crossing;

(2) While stopped, shall listen and look in both directions along the track for any approaching or passing railroad train and for any signals indicating the approach or passage of a railroad train; and

(3) May not proceed until he can do so safely.

(d) (1) The person may not proceed if a warning is given by an automatic signal, crossing gate, flagman, or otherwise of the immediate approach or passage of a railroad train.

(2) If the railroad provides a flagman, the person may proceed over the crossing only at the direction of the flagman.

27-101.1.

(a) In addition to being disqualified from driving a commercial motor vehicle under § 16-812(i) of this article, a driver who is convicted of violating an out-of-service order shall be subject to the civil penalties specified by regulation by the United States Secretary of Transportation.

(b) An employer who is convicted of violating § 16-806(b)(4) OR (5) of this article shall be subject to the civil penalties specified by regulation by the United States Secretary of Transportation.

**SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect July 1, 2003.

Approved April 22, 2003.