

DEPARTMENT OF TRANSPORTATION
BUREAU OF URBAN AND PUBLIC TRANSPORTATION
RAILROADS

(By authority of section 3 of Act No. 198 of the Public Acts of 1873, section 4 of Act No. 52 of the Public Acts of 1909, sections 5, 33, 34, 36, and 49 of Act No. 300 of the Public Acts of 1909, sections 3 and 5 of Act No. 419 of the Public Acts of 1919, section 2 of Act No. 102 of the Public Acts of 1927, sections 4 and 6 of Act No. 3 of the Public Acts of 1939, and section 3 of Act No. 156 of the Public Acts of 1941, being SS466.3, 469.204, 462.5, 462.33, 462.34, 462.36, 462.49, 460.53, 460.55, 469.82, 460.4, 460.6, and 470.103 of the Michigan Compiled Laws)

R 460.1451 Maintaining telephonic or audible signal devices and the operation of the same on manually operated snowplows on railroads in Michigan.

Rule 1. All Michigan railroads are ordered to cause all manually operated snowplows, or cars equipped with devices for the removal of snow from tracks, when used according to Act No. 102 of the Public Acts of 1927, to be equipped on or before November 1, 1944, with a telephonic device or with an electric signal bell equipment coupled to the locomotive or motor car handling such snowplow or car when in use, according to plans to be submitted to the commission for their approval. When electric signal bell is used the following communicating signals shall be used:

Number of Rings Indication

2 Rings when standing start.

2 Rings when running stop at once.

3 Rings when standing back the train.

3 Rings when running stop at next passenger station.

4 Rings when standing apply or release air brakes 4 Rings when running reduce speed.

5 Rings when running increase speed.

History: 1979 AC.

R 460.1452 Filing of working time cards, train order blanks, and train releases.

Rule 2. Every railroad doing business within the state of Michigan whether operated by steam, electric or other motive power, shall, within 30 days from date hereof, deliver to the commission for its use 1 copy of each of its current working time cards, train order blanks and releases, and of all rules governing movement of trains not published in the foregoing, and shall hereafter so file all such working time cards, train order blanks, and releases, and rules for working trains, at once upon issuance of the same.

History: 1979 AC.

R 460.1453 Mechanical and electrical signal protection at highway crossings of railroads.

Rule 3. (1) Whenever any mechanical or electrical signal protection, installed at any crossing of a highway by the tracks of a railroad in this state to warn highway traffic of the approach of engines and trains, be found inoperative, thereby failing to warn highway traffic of the approach of engines and trains, the company operating such railroad shall, as soon as possible, station at such crossing a watchman to warn highway traffic of the approach of engines and trains until such signals are restored to working order.

(2) With respect to the construction of highway crossing signals, the commission will from time to time issue approved plans and specifications as conditions may require.

History: 1979 AC.

R 460.1454 Free transportation.

Rule 4. (1) Policemen and firemen in uniform and in the discharge of their duties are hereby designated as persons to whom common carriers may lawfully, at their option, issue or give free transportation as passengers within the limits of cities.

(2) Former employees of railroad companies who have retired from active work of all kinds by reason of old age, infirmity or permanent disability, and widows and dependent minor children of deceased railroad employees, are hereby designated as persons to whom common carriers may lawfully, at their option, issue or give free transportation.

(3) Necessary attendants of the Michigan department of conservation, not exceeding 6, and 1 messenger accompanying delivery of cans of fish or cases of fish eggs, not to exceed 30 in number, or returning from such delivery, are hereby designated as persons to whom common carriers may lawfully, at their option and on application from said department, issue or give free transportation as passengers.

(4) Necessary attendants of the United States department of interior (fish and wildlife service cars), not exceeding 6 in number, and 1 messenger accompanying delivery of cans of fish or cases of fish eggs, not exceeding 30 in number, or returning after such delivery, are hereby designated as persons to whom the Michigan Central railroad (New York Central railroad company, lessee), the New York Central railroad company, the Pere Marquette railway company, the Pennsylvania railroad, the Detroit and Mackinac railway company, the Ann Arbor railroad company, the Chicago and North Western railway company, the Duluth, South Shore and Atlantic railway company and the Minneapolis, St. Paul and Sault Ste. Marie railway company, common carriers, may lawfully at their option, and on application from said department, issue or give free transportation as passengers; provided that said transportation is to be used in connection with the planting of fish.

(5) Rate inspectors of the Michigan public service commission, duly appointed and bearing proper certificates, are hereby designated as persons to whom carriers may lawfully, at their option, issue or give free transportation, for use only while on official business pertaining to their work as inspectors.

(6) Lecturers and demonstrators, not exceeding 10 in number, are hereby designated as persons to whom common carriers may lawfully, at their option, issue or give free transportation as passengers upon special institute train.

(7) Employees of the international correspondence school, while actually travelling on railroads in this state for the purpose of instructing or educating railroad engineers and firemen in locomotive mechanics; and engineers, firemen, conductors or brakemen in the use of air brakes on railroad trains, are hereby designated as persons to whom common carriers may lawfully, at their option, issue or give free transportation as passengers within this state.

(8) The secretaries and managers of Michigan tourist resort and land settlement associations, which have been approved as such by the Michigan public service commission, are hereby designated as persons to whom the railroads of the state of Michigan may lawfully, at their option, issue or give free transportation as passengers while said persons are necessarily riding from place to place in the state of Michigan in the interest of the work of said tourist and resort associations, and not otherwise.

(9) Such railroad companies operating as common carriers in this state as desire to do so may handle freight free, when consigned to regularly constituted relief committees for the relief of sufferers from forest fires, without filing tariffs to cover such movement and upon issuance by any such company of free billing order to its interested agents.

(10) Every railroad company doing business within the state of Michigan, whether operated by steam, electricity or other motive power, shall, on or before February 1, 1945, and on or before the same date in each and every year thereafter, file with the Michigan public service commission on forms to be furnished by said commission, a verified list of all free tickets, free passes and free transportation issued or given by it during the year ending the December 31 preceding, together with the full name and address of recipient thereof and the reason for issuing the same; provided that this shall not be deemed to require the filing of list of such free tickets, free passes and free transportation issued or given by it to its employees or their families, its officers, agents, surgeons, physicians or attorneys at law, and members of their families, or the officers, agents, attorneys and employees of other common carriers and their families.

(11) The several railroads of the state may, at their option, transport schoolchildren to and from public or private schools between such points as is necessary for them to travel in order to attend said schools, whether located in the city, village or township in which the pupil resides, or in some other city, village or township, and on such days as said schools are in session, and under such other conditions as may be arranged between the officials of said transportation companies and the officers of said school district, or the parents of said pupils, at such a rate less than the regularly published fare as may be agreed upon, and the same shall not be deemed by this commission to be a violation of the law.

History: 1979 AC.

R 460.1455 Construction of end platforms and platform steps on caboose and way cars.

Rule 5. All cabooses or way cars for use on lines of railroads within the state of Michigan shall be equipped according to plans to be submitted by the railroads to the Michigan public service commission for its approval.

History: 1979 AC.

R 460.1456 Regulation of the speed of trains over interlocking crossings.

Rule 6. Effective January 1, 1945, all existing orders of approval for interlocking and derailing switch and signal systems and all general orders establishing speed limits over interlocked railroad crossings are hereby revised and amended to eliminate speed restrictions. This commission expressly reserves full power and authority under section 11050, being S462.34 of the Michigan Compiled Laws, to order and direct that the rate of speed of trains or cars passing over dangerous or defective tracks or interlockers shall be restricted until proper repairs have been made.

History: 1979 AC.

R 460.1457 Abandonment and removal of tracks.

Rule 7. (1) Whenever it is proposed to discontinue service from, to or on sidetracks, spurs and branches or abandonment or removal of said sidetracks, spurs or branches, the public shall be given 10 days' notice of the proposed discontinuance of service or abandonment, by posting a notice in the nearest open station and on the day of said posting, shall publish notice in a newspaper of general circulation in the community affected by such proposed discontinuance of service or abandonment.

(2) The railroad shall file with this commission an affidavit of a person having personal knowledge that said notice was posted in the nearest open depot or station, which affidavit shall state the place and time of the posting and shall have annexed thereto an exact copy of said notice. The railroad shall also file with the commission due proof of the publication of said notice in a newspaper of general circulation, as aforesaid. Such notice shall plainly state that any interested person desiring to protest the discontinuance of the service, or the abandonment of the tracks, must file his protest with the Michigan public service commission at Lansing, Michigan, and that to be effective such protest must be on file with the commission not later than 5 days after the effective date of said notice. Railroad companies shall not discontinue service from, to or on sidetracks, spurs and branches or abandon or remove said sidetracks, spurs or branches until 10 days after the effective date of said notice.

(3) If after the expiration of the 5 days following the 10 days' notice, no protest has been received by the commission or railroad against the discontinuance of service or the abandonment or removal of said tracks, the railroad shall have authority to discontinue service or abandon or remove said tracks. However, if protests are received by the commission, due notice shall be given fixing the time and place for a hearing of the protests by the commission, and the railroad shall forthwith be given notice of said hearing and they shall not discontinue service nor abandon the sidetracks until after hearing and a determination of the public convenience and necessity by the commission for the continuation of said service and maintenance of said tracks.

History: 1979 AC.

R 460.1458 Application for permission to construct bridges, buildings, or other structures with less clearance than provided by law.

Rule 8. Any person who, at any time, desires to construct, erect or place, and thereafter maintain, over or adjacent to any railroad track or sidetrack which is a part of, or is in anywise connected with, any railroad, any bridge, structure, pole or other immovable obstruction, which shall be within, or any loading or unloading device, the immovable or fixed parts of which shall be within, the clear spaces over or adjacent to any such track which are provided for in Act No. 156 of the Public Acts of 1941, may make application on forms provided by the Michigan public service commission. Three or more copies of an application for such permission shall be submitted. Each copy of the application must be accompanied by a plan showing the location of the railroad track or sidetrack and of the proposed bridge, structure, pole or other immovable obstruction, or loading or unloading device, as the case may be, and the clear space afforded thereby from a perpendicular extending through the center line of said track and above the plane of the top of the rails of said track. The application should be addressed to the Michigan Public Service Commission, Lansing, Michigan.

History: 1979 AC.

R 460.1459 Reports of accidents.

Rule 9. Officials charged with the duty of reporting train accidents, train service accidents and nontrain accidents to this commission, shall cause a prompt report by telegraph to be sent to this commission of fatal accidents falling within the aforesaid classes of accidents. The details of such accidents to be set forth on form T of the "monthly report of railway accidents" or on form I in case of nontrain accidents, which monthly accident report must be filed with this commission within 30 days following the month in which said accident occurred, and nonfatal accidents falling within the aforesaid classes of accidents need not be reported by telegraph but must be reported on form T of the "monthly report of railway accidents" or on form I in case of nontrain accidents within 30 days following the month in which said accident occurred, and in case of a train accident, as classified by the interstate commerce commission, bureau of statistics, resulting in the injury or death of trainmen or passengers, a telegraphic report must be filed with this commission as soon as the accident has been reported to the railroad officials, so that this commission may, if it deems necessary, cause an investigation to be made of said accident.

History: 1979 AC.