



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

#### 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.

LRB093 17462 DRH 43128 b

1 AN ACT in relation to 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  
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 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 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  
24 railroad employees or the public.

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