219.383 SAFE OPERATION OF TRAIN OVER ROAD; PENALTY.

Subdivision 1. **Speed fixed.** The commissioner of transportation, on petition of a city council or a railway corporation, may fix and determine after a hearing a reasonable speed for the operation of an engine or train on and over a railroad crossing of a public highway or street in that city.

Subd. 2. **Maximum speed.** Where the commissioner has fixed the speed of an engine or train over a public highway or street crossing in a city as provided in this section, the fixed speed is the lawful maximum speed at which an engine or train may be operated on and over that public highway or street crossing, until changed by subsequent order of the commissioner.

Subd. 3. **Not to block public road or street.** No railway corporation shall permit a public road or street crossing a railroad track to be closed for traffic by a standing car, train, engine, or other railroad equipment, or by a switching movement which continuously blocks a crossing for longer than ten minutes. This subdivision does not apply to cities of the first class which regulate obstruction of streets by ordinance.

Subd. 4. **Penalty.** A railway corporation violating this section is guilty of a petty misdemeanor. A corporation that commits a second or subsequent violation of this section is guilty of a misdemeanor.

History: *1945 c 220 s 1-5; 1971 c 25 s 67; 1973 c 123 art 5 s 7; 1976 c 166 s 32; 1980 c 460 s 17; 1980 c 534 s 34; 1985 c 265 art 4 s 1; 1987 c 329 s 21; 1994 c 636 art 2 s 7; 1998 c 403 s 29*