



CHAPTER 20

ARTICLE 3 - MOTOR VEHICLE ACT OF 1937

N.C.G.S. § 20-142.1.

Obedience to railroad signal.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2019-36, s. 2 — third act in the lineage	21 September 2026, 06:16 UTC	de3f6af14880598ba7ee71d4 - a9b5e3a56160e41031439824 - d049551b689409bf

§ 20-142.1(a)

Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of the vehicle shall stop within 50 feet, but not less than 15 feet from the nearest rail of the railroad and shall not proceed until he can do so safely. These requirements apply when:

- (1) A clearly visible electrical or mechanical signal device gives warning of the immediate approach of a railroad train or on-track equipment;
- (2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train or on-track equipment;
- (3) A railroad train or on-track equipment approaching within approximately 1500 feet of the highway crossing emits a signal audible from that distance, and the railroad train or on-track equipment is an immediate hazard because of its speed or nearness to the crossing; or
- (4) An approaching railroad train or on-track equipment is plainly visible and is in hazardous proximity to the crossing.

§ 20-142.1(b)

No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed, nor shall any pedestrian pass through, around, over, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed.

§ 20-142.1(c)

When stopping as required at a railroad crossing, the driver shall keep as far to the right of the highway as possible and shall not form two lanes of traffic unless the roadway is marked for four or more lanes of traffic.

§ 20-142.1(d)

INFRACTION

Any person who violates any provisions of this section shall be guilty of an infraction and punished in accordance with G.S. 20-176. Violation of this section shall not constitute negligence per se.

§ 20-142.1(e)

INFRACTION

An employer who knowingly allows, requires, permits, or otherwise authorizes a driver of a commercial motor vehicle to violate this section shall be guilty of an infraction. Such employer will also be subject to a civil penalty under G.S. 20-37.21.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1991		2005		2019
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1991	c. 368, s. 1	ENACTED	
02	2005	S.L. 2005-349, s. 12	AMENDED	
03	2019	S.L. 2019-36, s. 2	AMENDED	

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 20-176	(d)	"infraction and punished in accordance with"
G.S. 20-37.21	(e)	"subject to a civil penalty under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-142.1 (2019).

PINPOINT

N.C. Gen. Stat. § 20-142.1(a) (2019).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1991, c. 368, s. 1; 2005-349, s. 12; 2019-36, s. 2.)

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