



CHAPTER 20
ARTICLE 3 - MOTOR VEHICLE ACT OF 1937

N.C.G.S. § 20-142.3.

Certain vehicles must stop at railroad grade crossing.

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. 3 — fifth act in the lineage	21 September 2026, 04:07 UTC	095dd905e453626084a32b11 - f480839143022ea4a0ecf79f - 2a314dd83abb41da

§ 20-142.3(a) Before crossing at grade any track or tracks of a railroad, the driver of any school bus, any activity bus, any motor vehicle carrying passengers for compensation, any commercial motor vehicle listed in 49 C.F.R. § 392.10, and any motor vehicle with a capacity of 16 or more persons shall stop the vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad. While stopped, the driver shall listen and look in both directions along the track for any approaching train or on-track equipment and shall not proceed until the driver can do so safely. Upon proceeding, the driver of the vehicle shall cross the track in a gear that allows the driver to cross the track without changing gears and the driver shall not change gears while crossing the track or tracks.

§ 20-142.3(b) Except for school buses and activity buses, the provisions of this section shall not require the driver of a vehicle to stop:

- (1) At railroad tracks used exclusively for industrial switching purposes within a business district.
- (2) At a railroad grade crossing which a police officer or crossing flagman directs traffic to proceed.
- (3) At a railroad grade crossing protected by a gate or flashing signal designed to stop traffic upon the approach of a train or on-track equipment, when the gate or flashing signal does not indicate the approach of a train or on-track equipment.

- (4) At an abandoned railroad grade crossing which is marked with a sign indicating that the rail line is abandoned.
- (5) At an industrial or spur line railroad grade crossing marked with a sign reading "Exempt" erected by or with the consent of the appropriate State or local authority.

§ 20-142.3(c)

INFRACTION

A person violating the 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.

§ 20-142.3(d)

,(e) Repealed by Session Laws 2001-487, s. 50(g).

§ 20-142.3(f)

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
5 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	1999	S.L. 1999-274, ss. 1, 2	AMENDED
03	2001	S.L. 2001-487, s. 50(g)	AMENDED
04	2005	S.L. 2005-349, s. 14	AMENDED
05	2019	S.L. 2019-36, s. 3	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	(c)	"infract io n and punished in accordance with"
G.S. 20-37.21	(f)	"subject to a civil penalty under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-142.3 (2019).

PINPOINT

N.C. Gen. Stat. § 20-142.3(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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1991, c. 368, s. 1; 1999-274, ss. 1, 2; 2001-487, s. 50(g); 2005-349, s. 14; 2019-36, s. 3.)

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