



CHAPTER 20
ARTICLE 3 - MOTOR VEHICLE ACT OF 1937

N.C.G.S. § 20-142.4.

Moving heavy equipment at railroad grade crossing.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2019-36, s. 4 — third act in the lineage	RETRIEVED 21 September 2026, 04:07 UTC	SOURCE FINGERPRINT 17604782b541ed68acaf08ea - 07c56985d4a3d42200c9ed73 - 46c9fa28ab8515ae
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§ 20-142.4(a) No person shall operate or move any crawler-type tractor, crane, or roller or any equipment or structure having a normal operating speed of five or less miles per hour upon or across any tracks at a railroad crossing without first complying with this section.

§ 20-142.4(b) Notice of any intended crossing described in subsection (a) of this section shall be given to a superintendent of the railroad and a reasonable time be given to the railroad to provide protection at the crossing.

§ 20-142.4(c) Before making any crossing described in subsection (a) of this section, the person operating or moving the vehicle or equipment shall:

- (1) Stop the vehicle or equipment not less than 15 feet nor more than 50 feet from the nearest rail of the railroad;
- (2) While stopped, shall listen and look both directions along the track for any approaching train or on-track equipment and for signals indicating the approach of a train or on-track equipment; and
- (3) Shall not proceed until the crossing can be made safely.

§ 20-142.4(d) No crossing described in subsection (a) of this section shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or on-track equipment.

§ 20-142.4(e)

Subsection (c) of this section shall not apply at any railroad crossing where State or local authorities have determined that trains are not operating during certain periods or seasons of the year and have erected an official sign carrying the legend "Exempt".

§ 20-142.4(f)

INFRACTION

Any person who violates any provision 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.

§ 20-142.4(g)

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. 15	AMENDED	
03	2019	S.L. 2019-36, s. 4	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	(f)	"infraction and punished in accordance with"
G.S. 20-37.21	(g)	"subject to a civil penalty under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-142.4 (2019).

PINPOINT

N.C. Gen. Stat. § 20-142.4(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; 2005-349, s. 15; 2019-36, s. 4.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

