

**CHAPTER 37-10-02**  
**RAILROAD-HIGHWAY GRADE CROSSING VIOLATIONS**

Section

37-10-02-01      Employer Violation for Railroad-Highway Grade Crossing  
37-10-02-02      Civil Penalty for Employer Conviction of Railroad-Highway Grade Crossing

**37-10-02-01. Employer violation for railroad-highway grade crossing.**

An employer may not knowingly allow, permit, or authorize a driver to operate a commercial motor vehicle in violation of a railroad-highway grade crossing under North Dakota Century Code section 39-06.2-10.

**History:** Effective January 1, 2006.

**General Authority:** NDCC 39-06.2-14

**Law Implemented:** NDCC 39-06.2-10.9; 49 CFR 383.37

**37-10-02-02. Civil penalty for employer conviction of railroad-highway grade crossing.**

Any employer who is convicted of knowingly allowing, requiring, permitting, or authorizing a driver to operate a commercial motor vehicle in violation of a railroad-highway grade crossing under North Dakota Century Code section 39-06.2-10 is subject to a civil penalty of not more than ten thousand dollars. Prior to a civil penalty being imposed, an employer has a right to an administrative hearing as provided for in North Dakota Century Code section 39-06.2-10.

**History:** Effective January 1, 2006.

**General Authority:** NDCC 39-06.2-14

**Law Implemented:** NDCC 39-06.2-10; 49 CFR 383.37(d)