

**ARTICLE 541**  
**Railroads**

541.01 Obstructing railroad crossings.

541.02 Trespassing.  
541.99 Penalty.

**CROSS REFERENCES**

Authority to eliminate grade crossings – see W. Va.  
Code 17-10-7

Grant of right of way – see W. Va. Code 31-2-13

Stopping at grade crossing – see TRAF. 343.01 et seq.

**541.01 OBSTRUCTING RAILROAD CROSSINGS.**

(a) Definitions. As used in this section:

- (1) "Carrier," "railroad" or "railroad company" means a common carrier by railroad.
- (2) "Train" or "trains" means engines, cars and any type of railroad equipment or rolling stock, or any part thereof, capable of blocking any crossing of a railroad track or tracks and any public street, road or highway.

(b) Blocking of Crossing Prohibited; Time Limit. No railroad company, except in an emergency, shall order, allow or permit the operation of or operate its system so that a train blocks the passage of vehicular traffic over the railroad crossing of any public street, road or highway for a period longer than ten minutes. This subsection does not apply to an obstruction of any such street, road or highway caused by a continuously moving train or caused by circumstances wholly beyond the control of the railroad, but does apply to all other obstructions as aforesaid, including, but not limited to, those caused by a stopped train or a train engaged in switching, loading or unloading operations.

(c) Responsibility of Railroad Company. The railroad company shall be solely responsible for the acts of its agents and employees in violating any provision of this section.