

**277.170 Flagman or gate at crossing of railroad with highway.**

If the Kentucky Transportation Cabinet determines it is in the public interest for a gate to be erected or maintained or a flagman stationed at any highway crossing within one mile of the corporate limits of any city, the cabinet shall give the superintendent or manager of the railroad written notice that a gate or flagman is required. If a gate is required, the notice shall prescribe the time within which the gate shall be erected, the character of gate required, and shall designate the hours during which a man shall be kept in charge of the gate. If a flagman is required, the notice shall designate the hours during which he shall be kept at the crossing. The railroad company shall comply with the provisions of the notice. The cabinet may authorize the discontinuance of the gate or flagman whenever, in its judgment, the public interest no longer requires it.

**Effective:** December 1, 2000

**History:** Amended 2000 Ky. Acts ch. 417, sec. 12, effective December 1, 2000. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 774.

**Legislative Research Commission Note** (12/1/2000). The contingency on the effectiveness of this statute set by 2000 Ky. Acts ch. 417, sec. 18, was met, the voters of the Commonwealth having ratified at the general election on November 7, 2000, a constitutional amendment (see 2000 Ky. Acts ch. 399) abolishing the Railroad Commission.