§ 3636. Passage of school buses across railroad crossings. 1. No school bus transporting pupils between home and school or between schools which such pupils regularly attend either within or outside the district which operates or contracts for the operation of such bus, or transporting pupils for any purpose within such district, shall cross railroad tracks at grade except at a guarded railroad crossing, unless the governing body of the school district which operates the bus or contracts for the operation of the bus shall have adopted, at a regular meeting after a public hearing thereon, a resolution by which it shall have determined that the use of a route which would avoid an unguarded railroad crossing by the school bus would be impracticable.

A copy of any resolution adopted pursuant to the provisions of this section shall be filed with the department of education and the department of transportation at their respective offices in the city of Albany.

2. For the purpose of this section, a guarded railroad crossing shall be defined as follows:

a. Any railroad crossing having automatic electrically operated gates that meet the specifications for such gates in the rules and regulations promulgated by the department of transporation.

b. Any railroad crossing where a member of the approaching train's crew disembarks from the train which has stopped before the crossing and positions himself at the crossing to halt traffic while the train passes. Such procedure must be in accordance with the rules and regulations promulgated by the department of transportation.

c. Any railroad crossing protected by an automatic warning signal which meets the specifications in the rules and regulations as promulgated by the department of transportation.

d. Any railroad crossing protected by one or more persons serving as a railroad crossing guard.

3. Each school district shall prepare and maintain a map indicating the intersection with any unguarded railroad crossing of each route used by a school bus transporting students to and from school either within or outside the district, or for any purpose within the district, and shall make such map available for inspection by any resident of the district at a place designated by the governing body of the district.

4. The commissioner of education shall have the authority to promulgate such regulations as he shall deem appropriate to implement the provisions of this section.