

HOUSE BILL No. 1392

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-6-7.7-6.1.

Synopsis: Railroad grade crossing fund. Provides that money in the railroad grade crossing fund may be used for maintenance and improvement of roads and highways occupied by railroad tracks.

Effective: July 1, 2005.

Saunders, Borders

January 13, 2005, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1392

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-6-7.7-6.1 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.1. (a) The railroad
- 3 grade crossing fund is created.
- 4 (b) The railroad grade crossing fund may be used by the Indiana
- 5 department of transportation for the following purposes:
- 6 (1) To carry out the provisions of this chapter.
- 7 (2) For passive railroad crossing safety improvement projects by
- 8 a unit of government, including:
- 9 (i) ~~(A)~~ **(A)** illumination;
- 10 (ii) ~~(B)~~ **(B)** pavement markings;
- 11 (iii) ~~(C)~~ **(C)** median barriers;
- 12 (iv) ~~(D)~~ **(D)** signage; ~~and~~
- 13 **(E) maintenance and improvement of roads and highways**
- 14 **occupied by railroad tracks, including:**
- 15 **(i) the space between the rails of a railroad track;**
- 16 **(ii) the space between railroad tracks, if there are at least**
- 17 **two (2) railroad tracks; and**



- 1 **(iii) the space that extends eighteen (18) inches from the**
- 2 **outside of each rail; and**
- 3 ~~(v)~~ **(F)** other safety improvement measures.
- 4 (3) For passive railroad crossing safety projects submitted by
- 5 railroad companies, including:
- 6 ~~(i)~~ **(A)** illumination;
- 7 ~~(ii)~~ **(B)** sight obstruction removal;
- 8 ~~(iii)~~ **(C)** signage;
- 9 ~~(iv)~~ **(D)** reflectorized taping; ~~and~~
- 10 **(E) maintenance and improvement of roads and highways**
- 11 **occupied by railroad tracks, including:**
- 12 **(i) the space between the rails of a railroad track;**
- 13 **(ii) the space between railroad tracks, if there are at least**
- 14 **two (2) railroad tracks; and**
- 15 **(iii) the space that extends eighteen (18) inches from the**
- 16 **outside of each rail; and**
- 17 ~~(v)~~ **(F)** other safety improvement measures.
- 18 (c) Notwithstanding subsection (b), an entity undertaking a passive
- 19 railroad crossing safety project under this section shall pay the cost of
- 20 acquiring any easements required by the passive railroad crossing
- 21 safety project and shall be responsible for the maintenance and
- 22 operation of the completed project.
- 23 (d) The balance of money in the railroad grade crossing fund does
- 24 not revert to the state general fund at the close of any fiscal year but
- 25 remains available to the Indiana department of transportation.

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