

FISCAL NOTE

SB 2824 - HB 2765

February 3, 2000

SUMMARY OF BILL: Requires railroads to install railroad crossing markers at any unmarked railroad crossing, where there are regularly scheduled trains and 100 or more vehicles cross daily and it is also a regular school bus crossing, and/or upon the order of the commissioner of transportation or the commissioner's designee. The crossing markers must be equipped with automatic flashing signals and a bell on either side of the tracks along such street, road or highway crossing such tracks, in such a manner that approaching motorists, riders or pedestrians may be warned of the hazard and alerted to watch for an oncoming train or engine. Requires railroad companies to comply within 12 months of the effective date of the act or in the event of a commissioner's order 6 months from the time of an order of the commissioner or the commissioner's designee. Companies that are not in compliance at the end of the 12 month period would be required to operate the trains no faster than 25 miles per hour within 1 mile in each direction of such crossing and shall continue until the devices are installed and fully operational. Also provides that any railroad company failing to comply with the requirements of installation at crossings are subject to a fine of not less than \$500 nor more than \$1,000 for each day of continued violation.

ESTIMATED FISCAL IMPACT:

Decrease State Expenditures - Exceeds \$1,000,000/Highway Fund
Increase State Revenues - Not Significant

Decrease Local Govt. Expenditures - Exceeds \$1,000,000 Recurring

Estimate assumes the following:

- Under existing law, active system crossing installation costs are paid 1/3rd by the railroad, 1/3rd by the state and 1/3rd by the local government. Bill deletes that section of the code requiring state and local governments to pay a portion of the costs to upgrade the crossings. **Estimate assumes railroads would be responsible for 100% of the costs to upgrade.**
- Currently approximately 32 crossings are upgraded annually at a cost of \$100,000 per crossing. State and local governments would not be required to share in the cost of making such upgrades in the future.
- Currently there are approximately 1,253 crossings in the state that are passive devices. Approximately 1,000 crossings have school bus routes that cross them. All of these sites would have to be upgraded under the provisions of the bill.
- An active crossing system installation will cost approximately \$100,000 per crossing site. Estimate assumes that the railroads would be responsible for the estimated \$100,000,000 in cost required to implement the bill.
- Increased revenues as a result of imposing fines as provided for in the bill; however, the amount of such increase is estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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James A. Davenport, Executive Director

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