

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6779

BILL NUMBER: HB 1235

DATE PREPARED: Apr 29, 1999

BILL AMENDED: Apr 29, 1999

SUBJECT: Regulation of train whistles.

FISCAL ANALYST: Beverly Holloway

PHONE NUMBER: 232-9851

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (CCR Amended) This bill allows a city, town, county to adopt an ordinance regulating the use of train whistles. This bill prohibits a city, town, or county from regulating by ordinance the sounding of a whistle or the ringing of a bell at a train crossing that does not have an automatic train activated warning signal.

This bill requires, rather than allows, the Department of Transportation to grant permission to a city, town, or county if the Department determines that the ordinance will not cause undue risk of harm to the public.

Effective Date: (Amended) Upon passage.

Explanation of State Expenditures: (Revised) The Department of Transportation can implement the provisions of this bill within the existing budget.

Explanation of State Revenues: (Revised) An engineer found in violation of the city, town, or county ordinance regulating the use of train whistles within the city, town, or county limits, is to be assessed a penalty of not less than \$10 nor more than \$50. The fines collected are to be deposited in the Common School Fund, a dedicated fund. The fiscal impact of this bill is indeterminable.

Explanation of Local Expenditures: (Revised) A city or town can adopt an ordinance within the existing budget.

Explanation of Local Revenues:

State Agencies Affected: Department of Transportation.

Local Agencies Affected: City or town.

Information Sources: