

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

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7512**  
**BILL NUMBER: SB 443**

**DATE PREPARED:** Jan 5, 1999  
**BILL AMENDED:**

**SUBJECT:** Railroad crossing safety measures.

**FISCAL ANALYST:** James Sperlik  
**PHONE NUMBER:** 232-9866

**FUNDS AFFECTED:**     **GENERAL**  
                          **X DEDICATED**  
                          **X FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires the Indiana Department of Transportation to order the installation of automatic warning signals at a railroad crossing that is the site of at least two fatal accidents. It requires the Department to annually upgrade with automatic signals the 20 most hazardous railroad crossings. The bill provides that the funds to pay for the signals must come first from federal funds dedicated to railroad purposes and then from state highway funds that may be used for railroads. It provides that the state will pay the 10% local match of funds for the automatic signals from the railroad grade crossing fund. The bill requires the Department to facilitate the installation of the following at crossings: (1) Reflective tape on existing crossbucks. (2) Stop signs. (3) Pavement markings or rumble strips. Provides that a local unit may be reimbursed for installation expenses from the railroad grade crossing fund. It provides that the state and local unit is immune from any civil liability for injury or property damage that is proximately caused by the installation. The bill creates a diagnostic review team effective July 1, 2009, to evaluate whether to continue upgrading the 20 most hazardous railroad crossings.

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:** The average cost to upgrade a railroad crossing is approximately \$150,000 per crossing. These costs consist of the following:

<u>Activity</u>	<u>Cost</u>	<u>Percentage</u>
Materials	<b>\$90,000</b>	60%
Labor, lodging, meals	<b>45,000</b>	30
Equipment Rental	<b>9,000</b>	6
Preliminary Engineering	<b>4,500</b>	3
Accounting	<b><u>1,500</u></b>	<u>1</u>
Total	<b>\$150,000</b>	100%

The specific impact will depend upon the number of crossings which have been the site of at least two fatal accidents. In 1996, there were 208 accidents at rail highway intersections in Indiana. In these 208 accidents, there were 28 fatalities, with 75 injured. With the advent of the Transportation Equity Act for the 21st Century (TEA21), beginning in fiscal year 1999, Indiana will receive an increase of about \$212 million per year, on average, in federal funds. About \$5 million of the federal funds are dedicated to railroad grade crossing projects. The 1997-99 Biennial Budget appropriated \$250,000 per year for the Rail Grade Crossing Fund for grade crossing purposes. The Indiana Department of Transportation has requested \$250,000 per year for the Rail Grade Crossing Fund in its 1999-2001 budget request. The signals called for in this proposal would come from these funds. The affected railroad is to maintain the signals.

The granting of immunity from any civil liability for injury or property damage that is proximately caused by the installations required by this proposal is indeterminable, but likely will save the state money.

The diagnostic review team created by this proposal in the year 2009 will have a fiscal impact if per diem and travel is provided. The impact is indeterminable.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The granting of immunity from any civil liability for injury or property damage that is proximately caused by the installations required by this proposal is indeterminable, but likely will save the local unit money.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Transportation.

**Local Agencies Affected:**

**Information Sources:** Department of Transportation data; 1997-99 Biennial Budget; 1999-2001 Budget Request.