
HOUSE BILL No. 1367

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-6-4.5.

Synopsis: Street lights at railroad grade crossings. Requires the Indiana department of transportation to install a street light at a railroad grade crossing that does not have automatic train activated warning signals if: (1) the city, town, or county that has jurisdiction of the road or street intersecting the railroad crossing requests installation of a street light; and (2) automatic train activated warning signals will not be installed at the crossing within one year after the department receives the request for installation of a street light. Requires the department to pay for the cost of installing the street light and obtaining any easements if the costs will not be paid for by a person, utility, municipal utility, or any other legal entity. Requires the city, town, or county to maintain and pay the costs of operating the street light.

Effective: July 1, 2000.

Turner

January 11, 2000, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 111th General Assembly (2000)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

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HOUSE BILL No. 1367



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 8-6-4.5 IS ADDED TO THE INDIANA CODE AS
- 2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2000]:
- 4 **Chapter 4.5. Installation of Street Lights at Passive Railroad**
- 5 **Grade Crossings**
- 6 **Sec. 1. As used in this chapter, "railroad grade crossing" means**
- 7 **a railroad crossing that is not equipped with train activated**
- 8 **warning signals.**
- 9 **Sec. 2. As used in this chapter, "unit" means a city, town, or**
- 10 **county.**
- 11 **Sec. 3. A unit that has jurisdiction over a public road or public**
- 12 **street intersecting a railroad grade crossing may follow the**
- 13 **procedure set forth in this chapter to install a street light at the**
- 14 **railroad grade crossing.**
- 15 **Sec. 4. (a) The legislative body of the unit must, after a public**
- 16 **hearing, adopt a resolution to install a street light at the railroad**
- 17 **grade crossing in order to improve safety at the railroad grade**



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crossing.

(b) Notice of the public hearing under subsection (a) on the resolution must be given as set forth in IC 5-3-1.

Sec. 5. (a) After adopting the resolution, the unit must submit a written request to the department for the installation of a street light at the passive railroad grade crossing.

(b) Except as provided in subsection (c), upon receiving a request from the unit, the department shall arrange with a utility or municipal utility for installation of a street light at the crossing and for the acquisition of any easements necessary for installation of the street light.

(c) The department shall pay the costs of installing a street light under this chapter and shall pay the cost of acquiring any easements required for installing the street light that are not paid by a person, utility, municipal utility, or any other legal entity.

Sec. 6. Except as provided in section 7 of this chapter, the unit is responsible for paying the cost of maintaining and operating the street light installed by the department.

Sec. 7. If the unit transfers jurisdiction of the road or street that crosses the passive railroad grade crossing to another unit, the unit that receives jurisdiction of the road or street shall pay the costs of maintaining and operating the street light.

Sec. 8. The department shall prepare a form for units to use to request street light installation by the department under this chapter.

Sec. 9. The department may not arrange for installation of a street light under this chapter at a railroad grade crossing if automatic train activated warning signals will be installed at the crossing not later than one (1) year after the date a request is received by the department for installation of a street light at the crossing.

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