

IC 8-4.5-3

Chapter 3. Transportation Corridor Use Master Plan

IC 8-4.5-3-1

Duties of departments

Sec. 1. (a) The departments annually shall do the following:

- (1) Prepare a list of existing rights-of-way that might be abandoned during the following year. The list shall be submitted to the board for review.
- (2) Set priorities for potential future uses of rights-of-way consistent with the Indiana department of transportation's comprehensive transportation plan and the department of natural resources trail system plan.
- (3) Contact each railroad owner that holds an interest in a corridor in Indiana to assess the status and any issues concerning corridors that may be abandoned.

(b) The Indiana department of transportation annually, in consultation with affected state and local agencies, shall prepare a list of corridors for preservation.

As added by P.L.40-1995, SEC.3. Amended by P.L.59-2005, SEC.1.

IC 8-4.5-3-2

Duties of board

Sec. 2. (a) The board shall do the following:

- (1) Review the list prepared under section 1(1) of this chapter.
- (2) Approve or disapprove the priorities set under section 1(2) of this chapter.
- (3) Review criteria for project selection under the program.
- (4) Review procedures for public participation under the program.

(b) If the board disapproves the priorities set under section 1(2) of this chapter, the departments shall revise the priorities as directed by the board.

As added by P.L.40-1995, SEC.3.

IC 8-4.5-3-3

Updated list of priorities

Sec. 3. (a) The departments annually shall update the list prepared under section 1(1) of this chapter and the priorities set under section 1(2) of this chapter based on the following:

- (1) Annual system diagram map and supplemental information submitted to the Interstate Commerce Commission and state agencies identifying potential abandonment applications.
- (2) Changes in local agency interest.
- (3) Availability of funds.
- (4) Possible future uses for rail, transit, highway, bicycle, pedestrian, utility, communication, or recreation corridors.

(b) The updated list and priorities are subject to review and approval by the board under section 2 of this chapter.

As added by P.L.40-1995, SEC.3.

IC 8-4.5-3-4

Petition regarding corridor identified for preservation

Sec. 4. Subject to approval by the board, the Indiana department of transportation shall file a petition with the United States Surface Transportation Board for public use conditions on a corridor that has been identified for preservation under this chapter.

As added by P.L. 40-1995, SEC.3. Amended by P.L. 158-1999, SEC.4.

IC 8-4.5-3-5

Petition regarding corridor not identified for preservation

Sec. 5. The Indiana department of transportation, in cooperation with any of the following, may file a petition with the United States Surface Transportation Board for public use conditions on any corridor not described in section 4 of this chapter and for which a petition has been filed:

- (1) The department of natural resources.
- (2) Local government agencies.
- (3) Statewide utility associations.
- (4) Nonprofit special interest groups.

As added by P.L. 40-1995, SEC.3. Amended by P.L. 158-1999, SEC.5.

IC 8-4.5-3-6

Reports

Sec. 6. Subject to approval by the board, the departments annually shall assemble a written report containing the following information:

- (1) A description of the rights-of-way that have been abandoned during the previous year. This description is not required to include the legal description of any of the rights-of-way.
- (2) Any property that has been purchased under the program.
- (3) Sources of funds for the program.
- (4) Other information that the board or the departments consider relevant.

As added by P.L. 40-1995, SEC.3.

IC 8-4.5-3-7

Transportation corridor fund

Sec. 7. (a) The transportation corridor fund is established to provide money for the purposes of this article. The fund shall be administered by the Indiana department of transportation.

(b) Expenses of administering the fund shall be paid from money in the fund. The fund consists of the following:

- (1) All federal money received by the state that may be used for the purposes of this article and that is allocated by the Indiana department of transportation.
- (2) Revenue derived from recreational trails under IC 8-4.5-6.
- (3) Contributions made for the purposes of this article.
- (4) Appropriations made by the general assembly.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest earned from

these investments shall be credited to the fund.

(d) Except for money appropriated from the state general fund, money in the fund at the end of a state fiscal year does not revert to the state general fund. Unexpended appropriations from the state general fund revert to the state general fund at the end of a state fiscal year.

(e) Money in the fund is appropriated for the purposes of this article.

As added by P.L.40-1995, SEC.3.