

**House Bill 6523**

**Sponsor: Rep. Scott Shackleton**

**Committee: Transportation**

**Complete to 11-13-02**

**A SUMMARY OF HOUSE BILL 6523 AS INTRODUCED 11-13-02**

House Bill 6523 would amend Public Act 51 of 1951, the Michigan Transportation Fund Act, to clarify the expenditure of rail grade crossing funds by officials in the Department of Transportation.

Currently the law requires that money deposited in the state Trunk Line Fund be appropriated for particular purposes and according to priorities listed in the statute, including for the transfer of funds to the Railroad Crossing Account to meet the cost (in whole or in part) of providing for the improvement, installation, and retirement of new or existing safety devices or other rail grade crossing improvements at crossings on public roads and streets under the jurisdiction of the state, counties, cities, or villages. Under the bill this provision would be retained, however the money would be used for "rail grade crossing improvement purposes."

Under the bill, "rail grade crossing improvement purposes would mean one or more of the following: a) the installation and modernization of active and passive warning devices; b) the installation or improvement of grade crossing surfaces; c) modification, relocation, or modernization of railroad grade crossing active and passive warning devices necessitated by roadway improvement projects; d) test installations of innovative warning devices or other innovative applications; e) construction of new grade separations; f) a cash incentive payment for any public road or street crossing, in an amount no greater than the cost of installing flashing light signals and half roadway gates at the crossing; and g) any other work that would be eligible for funding under the federal Railroad-Highway Grade Crossing Improvement Program or other comparable programs.

In addition, the bill would eliminate a number of provisions that specify the manner in which grade crossing projects are now prioritized, and funded. Finally, the bill would eliminate a provision that specifies payments to road authorities for closing and physically removing a grade crossing. Currently, if the Department of Transportation and a road authority with jurisdiction over a crossing formally agree that a grade crossing should be eliminated by permanent closing of a public road or street, then the road authority that makes the closing receives \$5,000 from the Railroad Crossing Account. Further, any connecting road improvements necessitated by the closure are reimbursed in an amount not to exceed \$10,000. The bill would eliminate reference to these payments.

MCL 247.661

Analyst: J. Hunault

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