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**SFA****BILL ANALYSIS**

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House Bill 6523 (as passed by the House)  
Sponsor: Representative Scott Shackleton  
House Committee: Transportation  
Senate Committee: Transportation and Tourism

Date Completed: 12-5-02

### **CONTENT**

The bill would amend Public Act 51 of 1951, the Michigan Transportation Fund law, to revise the priority of expenditures of railroad grade crossing funds. Current law outlines the allocation of money within the State Trunk Line Fund for specific purposes and according to certain priorities. One of these specific purposes is the transfer of funds to the Railroad Grade Crossing Account, which is used for the improvement, installation, and retirement of new or existing safety devices or other rail grade crossing improvements at rail grade crossings on public roads and streets under the jurisdiction of this State, counties, cities, and villages. Under the bill, this language would be modified to require that funds from the Railroad Grade Crossing Account be used for "rail grade crossing improvement purposes", which the bill would define as:

- The installation and modernization of active and passive warning devices at railroad grade crossings.
- The installation or improvement of grade crossing surfaces; modification, relocation, or modernization of railroad grade crossing active and passive warning devices necessitated by roadway improvement projects.
- Test installations of innovative warning devices or other innovative applications.
- Construction of new grade separations.
- 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.
- Any other work that would be eligible for funding under the Federal Railroad-Highway Grade Crossing Improvement Program or other comparable programs.

The bill also would delete several provisions that prioritize railroad grade crossing projects, including those undertaken with Federal funds. The bill would eliminate a provision directing payment to a local road authority if the Department of Transportation and the road authority formally agree that a grade crossing should be eliminated by permanent closing of the public road or street. Currently, the road authority is to receive \$5,000 from the Railroad Grade Crossing Account and may be reimbursed for the actual cost of any connecting road improvements necessitated by the grade crossing closure up to \$10,000 per crossing closed. The bill would eliminate this provision, but would continue to require that the physical removal of the crossing, roadway within railroad rights-of-way and street termination treatment be negotiated between the road authority and the railroad company. The bill provides that any funds provided to the road authority as a result of a crossing closure could be used for any transportation purpose within the road authority's jurisdiction.

MCL 247.661

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill would have no fiscal impact on the State but would change the current limits regarding the amount a local unit may receive from the State for rail grade crossing purposes.

Fiscal Analyst: Bill Bowerman