

1 SB31
2 155270-1
3 By Senator Whatley
4 RFD: Commerce, Transportation, and Utilities
5 First Read: 14-JAN-14
6 PFD: 10/22/2013

2
3
4
5
6
7
8 SYNOPSIS: This bill would require railroad companies
9 that own railroad grade crossings determined to be
10 hazardous by a county or municipality to pay
11 one-half of the costs associated with the
12 installation of active warning devices upon the
13 request of a municipality or county in which the
14 grade crossing is located, provided that the
15 municipality or county pledges to pay one-half of
16 the installation costs.

17 This bill would require installation of
18 active warning devices within two years of deposit
19 of one-half of the installation costs by the
20 municipality or county into an escrow account.

21 This bill would provide for the
22 determination of installation costs, and would
23 provide for the installation and maintenance of the
24 devices.

25
26 A BILL
27 TO BE ENTITLED

1 AN ACT

2
3 Relating to railroads, to require railroad companies
4 to pay one-half of costs associated with the installation of
5 active warning devices at certain grade crossings upon request
6 of a municipality or county; to require counties and
7 municipalities to pledge to pay one-half of the installation
8 costs; to require a municipality or county to deposit of
9 one-half of the installation costs into an escrow account; to
10 provide a timeframe for the installation of the active warning
11 devices; to provide for a determination of the costs of
12 installation; to provide for installation of the devices; and
13 to provide for maintenance of the devices.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) For the purposes of this section,
16 "active warning devices" means flashing lights, signals,
17 automatic gates, or manually operated gates.

18 (b) Upon a determination by a municipality within
19 its corporate limits or a county that a railroad grade
20 crossing located within its boundary is a hazard to the safety
21 of the public, the county or municipality may require the
22 railroad company that owns the grade crossing to pay one-half
23 of the costs associated with the installation of active
24 warning devices, provided that the municipality or county
25 agrees to pay the other one-half of the installation costs.

26 (c) The cost of installation of an active warning
27 device shall be determined by agreement between the railroad

1 company and the municipality or county. If the railroad
2 company and the municipality or county are unable to reach an
3 agreement regarding the cost of installation, the cost of
4 installation shall be determined by competitive bidding
5 pursuant to competitive bid laws.

6 (d) Installation of an active warning device shall
7 be completed within two years of the deposit of one-half of
8 the installation costs by the municipality or county in an
9 escrow account.

10 (e) (1) The county or municipality shall coordinate
11 installation of active warning devices with the Alabama
12 Department of Transportation in compliance with state and
13 federal law and rules.

14 (2) The railroad company shall be responsible for
15 the maintenance of any active warning device.

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.