

HOUSE BILL NO. HB0108

Railroad quiet zones.

Sponsored by: Representative(s) Buchanan, Bagby, Berger, Blake, Brown, Diercks, Edwards, Esquibel, F., Iekel, Illoway, Lubnau, Martin, Mercer, Meyer, Millin, Semlek, Teeters and White and Senator(s) Anderson, J., Burns, Decaria, Hastert, Meier, Townsend and Von Flatern

A BILL

for

1 AN ACT relating to railroads and public highway crossings;
2 providing for the transportation commission to administer a
3 program for the establishment of railroad quiet zones or
4 the installation of wayside horns in the vicinity of grade
5 crossings in populated areas as specified; creating a
6 subaccount within the highway fund; providing for a
7 matching grant program; requiring a report; providing an
8 appropriation; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 37-10-106 is created to read:

13

14 **37-10-106. Quiet zone and wayside horn program.**

1

2 (a) The commission shall administer a program, in
3 conformity with the standards prescribed in 49 C.F.R. Part
4 222, for the establishment of quiet zones or the
5 installation of wayside horns to minimize the sounding of
6 locomotive horns in populated areas.

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8 (b) Funds appropriated by the legislature for the
9 program created by this section shall be maintained in a
10 subaccount within the account established pursuant to W.S.
11 37-10-101 and shall be used only for the quiet zone and
12 wayside horn program, but may be combined with other state
13 and federal funds when a quiet zone or wayside horn is
14 included as one of the safety devices to be installed in a
15 grade crossing improvement project.

16

17 (c) The commission shall establish a priority rating
18 system for the establishment of quiet zones or the
19 installation of wayside horns at grade crossings, giving
20 due consideration to safety and other factors deemed
21 relevant by the commission.

22

23 (d) The commission shall establish through rule and
24 regulation a matching grant program for the distribution of

1 funds in the subaccount created by this section which shall
2 be subject to the following distribution limitations:

3

4 (i) The commission shall arrange the assessed
5 valuation of each county in descending order by county;

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7 (ii) The commission shall require the following
8 matching percentages from counties:

9

10 (A) For the bottom seven (7) counties in
11 the list created in paragraph (i) of this subsection the
12 commission shall require a twenty-five percent (25%) match;

13

14 (B) For the middle eight (8) counties in
15 the list created in paragraph (i) of this subsection the
16 commission shall require a fifty percent (50%) match;

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18 (C) For the top eight (8) counties in the
19 list created in paragraph (i) of this subsection the
20 commission shall require a seventy-five percent (75%)
21 match.

22

1 (e) Except as provided in this section, expenditures
2 from the wayside horn subaccount shall be subject to the
3 provisions of this chapter.

4

5 (f) The department of transportation shall annually
6 report to the joint transportation, highways and military
7 affairs interim committee by October 1 regarding the
8 expenditure of funds from the subaccount created by this
9 section, the number of quiet zones established and wayside
10 horns installed and the status of the priority list and
11 schedule for future quiet zone establishment and wayside
12 horn installations.

13

14 **Section 2.**

15

16 (a) Of the general fund appropriation to the
17 transportation commission, contained in 2008 Senate File
18 0001, Section 2, Section 045 one million dollars
19 (\$1,000,000.00) shall be deposited in the subaccount
20 created by W.S. 37-10-106(b). The funds under this section
21 shall be for the period beginning with the effective date
22 of this act and ending June 30, 2010. The funds under this
23 section shall only be expended for the purpose of the quiet
24 zone and wayside horn program established by this act.

1 Notwithstanding any other provision of law, the funds shall
2 not be transferred or expended for any other purpose and
3 any unexpended, unobligated funds remaining from the funds
4 under this section shall revert as provided by law on June
5 30, 2010.

6
7 (b) The department of transportation shall include a
8 request for funds in its 2011-2012 budget request to
9 continue funding for the quiet zone and wayside horn
10 program at levels provided under this act from funds
11 deposited in the abandoned mine land funds reserve account.

12

13 **Section 3.** This act is effective July 1, 2008.

14

15

(END)