

## HOUSE BILL NO. HB0096

Railroad quiet zones.

Sponsored by: Representative(s) Buchanan, Anderson, R.,  
Bagby, Blake, Esquibel, K., Gingery,  
Illoway, Semlek and Teeters and Senator(s)  
Anderson, J., Hunnicutt and Meier

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 in  
4 the vicinity of grade crossings in populated areas as  
5 specified; creating a subaccount within the highway fund;  
6 providing for a matching grant program; requiring a report;  
7 providing an appropriation; and providing for an effective  
8 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 program.**

15

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

6  
7           (b) Funds appropriated by the legislature for the  
8 program created by this section shall be maintained in a  
9 subaccount within the account established pursuant to W.S.  
10 37-10-101 and shall be used only for the quiet zone  
11 program, but may be combined with other state and federal  
12 funds when quiet zone program components are included as  
13 one of the devices to be installed in a grade crossing  
14 improvement project.

15  
16           (c) The commission shall establish a priority rating  
17 system for the establishment of quiet zones and the  
18 installation of equipment at grade crossings, giving due  
19 consideration to safety and other factors deemed relevant  
20 by the commission.

21  
22           (d) The commission shall establish through rule and  
23 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;

6  
7 (ii) The commission shall require the following  
8 matching percentages from counties and the incorporated  
9 municipalities therein:

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

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

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

23

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

4  
5           (f) Beginning October 1, 2010, the department of  
6 transportation shall annually report to the joint  
7 transportation, highways and military affairs interim  
8 committee by October 1 regarding the status of the  
9 equipment installation necessary to complete the quiet zone  
10 program.

11  
12           **Section 2.**

13  
14           (a) There is appropriated from the general fund to  
15 the transportation commission five hundred thousand dollars  
16 (\$500,000.00) which shall be deposited in the subaccount  
17 created by W.S. 37-10-106(b). The funds under this section  
18 shall be for the period beginning with the effective date  
19 of this act and ending June 30, 2010. The funds under this  
20 section shall only be expended for the purpose of the quiet  
21 zone program established by this act. Notwithstanding any  
22 other provision of law, the funds shall not be transferred  
23 or expended for any other purpose and any unexpended,

1 unobligated funds remaining from the funds under this  
2 section shall revert as provided by law on June 30, 2010.

3

4 (b) The department of transportation shall include a  
5 request for funds in its 2011-2012 exception budget request  
6 to continue funding for the quiet zone program.

7

8 **Section 3.** This act is effective July 1, 2009.

9

10 (END)